

MC 146978 (Sub-1TA), filed August 24, 1979. Applicant: CAMERON TRUCKING COMPANY, INC., 602 North Walnut Street, Hartford City, IN 47348. Representative: Charles T. Cox (same address as applicant). *Glass containers and fibreboard materials*, (1) between Charlotte, MI on the one hand and on the other points in IL, IN, KY, MI, OH and the St. Louis, MO Commerical Zone and (2) between Gas City, IN on the one hand and on the other points in IL, IN, KY, MI, OH and the St. Louis, MO Commerical Zone, for 180 days. Supporting shipper(s): Owens-Illinois, Inc., 506 S. 1st Street, Gas City, IN. Send protests to: Beverly J. Williams, Transportation Assistant, ICC, 46 E. Ohio St., Rm 429, Indianapolis, IN 46204. An underlying ETA seeks 90 days authority.

MC 147068 (Sub-3TA), filed August 27, 1979. Applicant: ENERGY TRANSPORTERS, INC., 5119 N. 19th Ave., Suite K, Phoenix, AZ 85015. Representative: Andrew V. Baylor, 337 E. Elm, Phoenix, AZ 85012. Contract, *Petroleum products in bulk, in tank vehicles*, from Ciniza and Farmington, NM to points in AZ—representative points are: Clarkdale, Cochise, Curtis, Flagstaff, Paul Spur, Payson, Phoenix, Prescott, San Manuel, Show Low, AZ, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Bomkamp Petroleum Dist. Inc., 5119 N. 19th Ave., Suite K, Phoenix, AZ 85015. Send protests to: Ronald R. Mau, District Supervisor, 2020 Federal Bldg., 230 N. 1st Ave., Phoenix, AZ 85025.

MC 147088 (Sub-3TA), filed August 24, 1979. Applicant: DERBY CITY EXPRESS, INC., 728 Upsliner Road, Louisville, KY 40229. Representative: Wm. P. Whitney, Jr., Atty., Suite 708 McClure Bldg., Frankfort, KY 40601. Animal Feed, except in bulk, from the facilities of the Hubbard Milling Co., at Louisville, KY, to Chicago, IL, Burlington, IA, Xenia, OH, and Ft. Wayne, IN, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Robert J. Hohman, Plant Mgr., Hubbard Milling Co., 932 E. Chestnut St., Louisville, KY 40204. Send protests to: Ms. Clara, L. Eyl, T/A, ICC, 426 Post Office Bldg., Louisville, KY 40202.

MC 147538 (Sub-1TA), filed June 7, 1979. Applicant: PARAMOUNT DELIVERY SERVICE, INC., 710 Two Penn Center Plaza, Phila., PA 19102. Representative: Anthony Witlin (same address as applicant). Contract carrier, irregular routes, *containers and related supplies used in the manufacture of soft drinks and beverages*, between Philadelphia, PA and points in the Philadelphia Commerical Zone, on the

one hand, and, on the other, points in NJ and MD, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): 7-UP Bottling Corp., of Phila., 1103 Ridge Pike, Conshohocken, PA. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Phila., PA 19106.

MC 147538 (Sub-2TA), filed June 12, 1979. Applicant: PARAMOUNT DELIVERY SERVICE, INC., 710 Two Penn Center Plaza, Phila., PA 19102. Representative: Anthony Witlin (same address as applicant). Contract carrier, irregular routes, *crated and uncrated household appliances and tools and accessories used in the building trades*, between Philadelphia, PA and points in the Philadelphia Commerical Zone, on the one hand, and, on the other, points in NJ, DE, MD, DC, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): Sears Roebuck & Co., 4640 Roosevelt Blvd., Phila., PA 19132. Send protests to: I.C.C., Fed. Res. Bank Bldg., 101 N. 7th St., Room 620, Phila., PA 19106.

MC 147558 (Sub-1TA), filed June 25, 1979. Applicant: INLAND TANKER SERVICE LTD., 84 Electronic Ave., Port Moody, B.C., Canada V3H 2S1. Representative: George R. LaBissoniere, 1100 Norton Building, Seattle, WA 98104. *Bulk lignin liquor*, from Bellingham, WA, on the one hand, to the U.S./Canada boundary line in WA, at or near Blaine, Lynden, or Sumas, WA, on the other hand, restricted to traffic moving in foreign commerce, for 180 days. An underlying ETA seeks 90 days authority. Supporting shipper(s): MacKenzie & Fiemann, Lt., 970 Malkin Ave., Vancouver, B.C., Canada V6A 2K8. Send protests to: Shirley M. Holmes, T/A, ICC, 858 Federal Building, Seattle, WA 98174.

MC 147938 (Sub-1TA), filed August 6, 1979. Applicant: D. D. CASKEY, d.b.a. DUTCH'S ENTERPRISES, P.O. Box 67, Centerton, AR 72719. Representative: D. D. Caskey (same as applicant) *Mobile Homes* within 50 mile radius of Centerton (Benton County), AR in the states of AR, OK and MO, for 180 days. Underlying ETA seeks 90 days authority. Supporting shipper(s): Dave's Mobile Home Sales, P.O. Box 276, Siloam Springs, AR 72761. Send protests to: William H. Land, DS, 3108 Federal Bldg., Little Rock, AR 72201.

MC 147988 (Sub-1TA), filed August 16, 1979. Applicant: JACKSON H. PARIS, d.b.a. PARIS FREIGHT TERMINAL, 711 West Tyler St., Fairfield, IA 52556. Representative: Thomas E. Leahy, 1980 Financial Center, Des Moines, IA 50309. *Iron and steel articles* from Granite City, IL, to Ottumwa, IA, for 180 days. An

underlying ETA seeks 90 days authority. Supporting shipper(s): John Deere Ottumwa Works, Ottumwa, IA 52501. Send protests to: Herbert W. Allen, DS, ICC, 518 Federal Bldg., Des Moines, IA 50309.

MC 148128TA, filed August 21, 1979. Applicant: JIM DUTY TRUCKING, d.b.a. JIMMY W. DUTY, P.O. Box 316, Bloomfield, MO 63825. Representative: (same as above). *Dry bulk fertilizer* from Armored, AR to points in KY, MO and TN, for 180 days. Supporting shipper(s): Agrico Chemical Company, P.O. Box 3166, Tulsa, OK 74101. Send protests to: P. E. Binder, TS, ICC, Rm. 1465, 210 N. 12th St., St. Louis, MO 63101.

By the Commission,
Agatha L. Mergenovich,
Secretary.

[FR Doc. 79-31341 Filed 10-10-79; 8:45 am]

BILLING CODE 7035-01-M

[S.O. 1344; I.C.C. Order 51; Amdt. 1]

Rerouting Traffic

To: All Railroads:

Upon further consideration of I.C.C. Order No. 51, and good cause appearing therefor:

It is ordered, I.C.C. Order No. 51 is amended by substituting the following paragraph (h) for paragraph (h) thereof:

(h) *Expiration date*. This order shall expire at 11:59 p.m., October 5, 1979, unless otherwise modified, changed or suspended.

Effective date. This amendment shall become effective at 11:59 p.m., September 21, 1979.

This amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and car hire agreement under the terms of that agreement, and upon the American Short Line Railroad Association. A copy of this amendment shall be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., September 19, 1979.

Interstate Commerce Commission,
Robert S. Turkington,
Agent.

[FR Doc. 79-31339 Filed 10-10-79; 8:45 am]

BILLING CODE 7035-01-M

[Volume No. 35]

Petitions, Applications, Finance Matters (Including Temporary Authorities), Alternate Route Deviations, Intrastate Applications, Gateways, and Pack and Crate

Dated: September 27, 1979.

The following grants of operating rights authorities are republished by order of the Commission to indicate a broadened grant of authority over that previously noticed in the *Federal Register*.

An original and one copy of a petition for leave to intervene in the proceeding must be filed with the Commission within 30 days after the date of this *Federal Register* notice. Such pleading shall comply with Special Rule 247(e) of the Commission's *General Rules of Practice* (49 CFR 1100.247) addressing specifically the issue(s) indicated as the purpose for republication, and including copies of intervenor's conflicting authorities and a concise statement of intervenor's interest in the proceeding setting forth in detail the precise manner in which it has been prejudiced by lack of notice of the authority granted. A copy of the pleading shall be served concurrently upon the carrier's representative, or carrier if no representative is named.

MC 95540 (Sub-1024F) (Republication) filed April 14, 1978, previously noted in *Federal Register* issue of August 3, 1978. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Lakeland, FL 33802. Representative: Benjy W. Fincher, P.O. Box 1636, Lakeland, FL 33802. A decision of the Commission, Review Board Number 2, decided February 7, 1979, and served March 20, 1979, finds that the present and future public convenience and necessity require operation by applicant, in interstate foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except hides and commodities in bulk), (1) from Fort Smith, AR, Arkansas City, KS, and Memphis, TN, to points in AL, CT, DE, FL, GA, KY, LA, ME, MD, MA, MS, NC, NH, NJ, NY, PA, RI, SC, TN, VA, VT, WV, and the DC, (2) from Wichita, KS, to points in CT, DE, FL, KY, LA, MA, MD, ME, NJ, NH, NY, PA, RI, TN, VA, VT, WV, and the District of Columbia, and (3) from Shreveport, LA, to points in CT, DE, LA, MA, MD, ME, NH, NJ, NY, PA, SC, VA, VT, WV, and the District of Columbia, restricted in

(1), (2), and (3) to the transportation of traffic originating at the facilities used by John Morrell & Co., at the named origins and destined to the indicated destinations. Applicant is fit, willing, and able properly to perform this service and to conform to the requirements of Title 49, Subtitle IV, U.S. Code, and the Commission's regulations. The purpose of this republication is to indicate Fort Smith, AR as an origin point in (1) in lieu of Fort Smith, KS, as previously stated in the prior publication.

MC 107727 (Sub-29F) (republication), filed November 7, 1978, and previously published in the *Federal Register* issue of March 27, 1979. Applicant: ALAMO EXPRESS, INC., 6013 Rittiman Plaza, San Antonio, TX 78218. Representative: Damon R. Capps, Suite 1230, Capital National Bank Bldg., 1300 Main Street, Houston, TX 77002. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, (A) over irregular routes, transporting *general commodities* (except of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Houston and San Antonio, TX, points in IN and OH, those in the Lower Peninsula of MI, and those in Jefferson and Mobile Counties, AL, Maricopa and Pima Counties, AZ, Crittenden, Miller, and Pulaski Counties, AR, Alameda, Contra Costa, Los Angeles, Napa, Orange, Riverside, Sacramento, San Bernardino, San Diego, San Joaquin, San Mateo, Santa Barbara, Santa Clara, Stanislaus, Ventura, and Yolo Counties, CA, Adams, Arapahoe, Denver and Jefferson Counties, CO, Broward, Dade, Duval, Escambia, Hillsborough, Leon, Orange, and Pinelass Counties, FL, Cobb, De Kalb, and Fulton Counties, GA, Scott County IA, Cook, Kane, Madison, Peoria, Rock Island, St. Clair, Tazewell, and Will Counties, IL, Boone, Campbell, Kenton, and Jefferson Counties, KY, Johnson and Wyandotte Counties, KS, Greene, Jackson, Jasper, Platte, Clay, and St. Louis Counties, MO, Bernalillo County, NM, Buncombe, Davidson, Durham, Forsyth, Guilford, Mecklenburg, and Wake Counties, NC, Hines and Rankin Counties, MS, Canadian, Cleveland, Grady, Oklahoma, Osage, Pittsburg, and Tulsa Counties, OK, Greenville and Spartanburg Counties, SC, Davidson, Hamilton, Knox, and Shelby Counties, TN, Salt Lake, Tooele, Utah, and Weber Counties, UT, Milwaukee County, WI, and Bossier, Caddo, Jefferson, Orleans, and West Baton Rouge Parishes, LA; and (B) over regular routes, transporting

general commodities, (a) between San Antonio and Galveston, TX: from San Antonio over Interstate Hwy 10 to Houston, then over Interstate Hwy 45 to Galveston, and return over the same route, serving all intermediate points between Houston and Galveston, and serving the facilities of Western Electric Corporation near Houston as an off-route point; (b) between San Antonio and Laredo, TX: over Interstate Hwy 35, serving all intermediate points, and serving Von Ormy, Lytle, Natalia, Devine, Moore, Pearsall, Derby, Dilley, Cotulla, Artesia Wells, Encinal, TX, and the facilities of Frio-Tex Oil and Gas Company, near Moore, TX as off-route points; (c) between San Antonio and Corpus Christi, TX: over U.S. Hwy 181, serving all intermediate points, and serving the facilities of Susquehanna Western, Inc., and the Conquistador Project, both near Falls City, TX, as off-route points; (d) between San Antonio and Corpus Christi, TX: from San Antonio over U.S. Hwy 281 to junction TX Hwy 9, then over TX Hwy 9 to junction Interstate Hwy 37, then over Interstate Hwy 37 to Corpus Christi, and return over the same route, serving no intermediate points; (e) between San Antonio and Port Lavaca, TX: over U.S. Hwy 87, serving all intermediate points between and including Cuero and Port Lavaca, TX; (f) between Houston and Laredo, TX: over U.S. Hwy 59, serving intermediate points between and including Houston and Fannin, TX, and between and including Freer and Laredo, TX, and serving the Transcontinental Gas Pipe Line Corporation Compressor Station near El Campo, TX, as an off-route point; (g) between Houston and Hungerford, TX: from Houston over U.S. Hwy Alternate 90 to East Bernard, TX, then over TX Hwy 60 to Hungerford, and return over the same route, serving all intermediate points; (h) between Houston, TX, and junction TX Hwy 35 and U.S. Hwy 181, near Gregory: over TX Hwy 35, serving all intermediate points and serving Liverpool, Danbury, Damon, Guy, Needville, Newgulf, Iago, Burr, Boling, Pledger, Danciger, Ashwood, Sweeny, Cedar Lane, Gainsmore, Hawkinsville, Port O'Connor, Sargent, Buckeye, Markham, Danevang, Midfield, Blessing, Francitas, Elmaton, Collegeport, La Ward, Lolita, Vanderbilt, La Salle, Olivia, Bayside, and Austwell, TX, as off-route points; (i) between Houston and Freeport, TX: over TX Hwy 288, serving all intermediate points between and including Angleton and Freeport, TX, and serving Velsaco, Dow, and Quintana, TX, as off-route points; (j) between Galveston, TX, and junction

TX Hwy 6 and U.S. Hwy 59, near Sugar Land: over TX Hwy 6, serving all intermediate points; (k) between Houston and Clute, TX: from Houston over TX Hwy 225 to junction TX Hwy 134, then over TX Hwy 134 to junction TX Hwy 146, then over TX Hwy 146 to junction Interstate Hwy 45, near Texas City, then over Interstate Hwy 45 to Galveston, then over TX Farm Road 3005 to junction unnumbered County Road on Galveston Island, to junction TX Hwy 332, then over TX Hwy 332 to Clute, and return over the same route, serving all intermediate points; (l) between Freeport and West Columbia, TX: over TX Hwy 36, serving all intermediate points; (m) between Bay City and Matagorda, TX: over TX Hwy 60, serving all intermediate points, and serving Lane City, Gulf, and Magnet, TX, as off-route points; (n) between Seadrift and Victoria, TX: over TX Hwy 185, serving all intermediate points; (o) between Cuero and Kenedy, TX: over TX Hwy 72, serving all intermediate points; (p) between Karnes City and Peggy, TX: over TX Farm Road 99, serving all intermediate points, and serving the facilities of Lone Star Production Company and Gulf Oil Company, both near Fashing, TX, as off-route points; (q) between Victoria and Brownsville, TX: over U.S. Hwy 77, serving all intermediate points (except those between Riviera and Raymondville), and serving the Naval Air Station P-4, near Kingsville, as an off-route point; (r) between Skidmore and Laredo, TX: over TX Hwy 359, serving all intermediate points, and serving the facilities of Wyoming Mining & Minerals, near Bruni, TX, as an off-route point; (s) between Corpus Christi and Encinal, TX: over TX Hwy 44, serving all intermediate points; (t) between Freer and Benavides, TX: over TX Hwy 339, serving all intermediate points; (u) between Gonzales and Cuero, TX: over U.S. Hwy 183, serving all intermediate points; (v) between junction TX Hwy 9 and U.S. Hwy 281 near Three Rivers, TX, and Hidalgo, TX: over U.S. Hwy. 281, serving all intermediate points (except those between junction TX Hwy 9 and U.S. Hwy 281 and Alice, TX, and serving the facilities of Trunkline Gas Corp., near Premont, TX, and Clay West Uranium Plant, near George West, TX as off-route points; (w) between Laredo, TX, and junction U.S. Hwys 83 and 77, near San Benito, TX: over U.S. Hwy 83, serving all intermediate points (except those between Laredo and Falcon, TX, and serving Baldrige, Los Ebanos, Carrizelos, Grulla, and Garcia (Garciasville), TX, and the facilities of

(i) King Pipe Yard, (ii) Jackson Station of the Valley Pipe Line Co., and (iii) Fordyce Gravel Co., near Mission, TX, as off-route points; (x) between Mission and Harlingen, TX: over TX Hwy 107, serving all intermediate points; (y) between Port Mansfield, TX, and junction U.S. Hwy 281 and TX Hwy 186: over TX Hwy 186, serving all intermediate points between Port Mansfield and Raymondville; (z) between Harlingen, TX, and junction TX Farm Road 1420 and TX Hwy 186 near San Perlita: over TX Farm Road 1420, serving all intermediate points; (aa) between junction TX Farm Roads 106 and 1420, and junction TX Farm Roads 106 and 1847: over TX Farm Road 106, serving all intermediate points; (bb) between Brownsville, TX, and junction TX Farm Roads 1847 and 106: over TX farm Road 1847, serving all intermediate points; (cc) between South Padre Island, TX, and junction TX Hwy 100 and U.S. Hwys 83-77: over TX Hwy 100, serving all intermediate points; (dd) between Brownsville, TX, and junction TX Hwys 48 and 100: over TX Hwy 48, serving all intermediate points; (ee) between Harlingen and McAllen, TX: over U.S. Hwy 83 (Business Route), serving all intermediate points; (ff) between Monte Alto and Santa Maria, TX: from Monte Alto over TX Farm Road 88 to junction U.S. Hwy 281, then over U.S. Hwy 281 to Santa Maria, and return over the same route, serving all intermediate points; (gg) between junction U.S. Hwy 77 and U.S. Hwy 77 (Business Route), near Raymondville, and junction U.S. Hwy 77 and U.S. Hwy 77 (Business Route), near San Benito: over U.S. Hwy 77 (Business Route), serving all intermediate points; (hh) between Lasara, TX, and junction TX Farm Road 490 and U.S. Hwy 77: over TX Farm Road 490, serving all intermediate points; (ii) between Kenedy, TX, and junction TX Hwy 239 and U.S. Hwy 59: from Kenedy over TX Hwy 72 to junction TX Hwy 239, then over TX Hwy 239 to junction U.S. Hwy 59, and return over the same route, serving no intermediate points; (jj) between Port Aransas, TX, and junction TX Hwy 361 and U.S. Hwy 181, near Gregory: over TX Hwy 361, serving all intermediate points; (kk) between San Benito, TX, and junction TX Hwy 345 and TX Farm Road 106, over TX Hwy 345, serving all intermediate points; (ll) between Brownsville and Port Brownsville, TX: from Brownsville over TX Hwy 48 to junction TX Farm Road 1792, then over TX Farm Road 1792 to Port Brownsville, and return over the same route, serving all intermediate points, serving the facilities of Union Carbide Chemical Co., near Port

Brownsville, as an off-route point; (mm) between Kingsville, TX and junction TX Hwy 141 and U.S. Hwy 281: over TX Hwy 141, serving all intermediate points, and serving the facilities of the King Ranch Gas Plant of Humble Oil & Refining Co., near Ella, TX, as an off-route point; (nn) between Karnes City and Harmony Community, TX: from Karnes City over TX Hwy 80 to junction TX Farm Road 627, then over TX Farm Road 627 to Harmony Community, and return over the same route, serving all intermediate points; (oo) between Corpus Christi, TX and the United States Naval Air Base, near Flour Bluff, TX: over Ocean Drive, serving all intermediate points; (pp) between Sullivan City and Rio Grande City, TX: from Sullivan City over U.S. Hwy 83 to junction unnumbered county roads, then over unnumbered county roads to Rio Grande City, and return over the same route, serving all intermediate points; (qq) between Harlingen, TX, and the United States Air Corps Gunnery School near Harlingen: over the Rio Hondo Road, serving all intermediate points; (rr) between Mission, TX, and the United States Army Air Base, near Mission, TX: from Mission over TX Hwy 107 to junction Seven Mile Line Road, then over Seven Mile Line Road to junction Palm Drive, then over Palm Drive to the United States Army Air Base, and return over the same route, serving all intermediate points; (ss) between Rio Hondo, TX, and the United States Naval Auxiliary Landing Field, near Rio Hondo: from Rio Hondo over TX Farm Road 106 to junction TX Farm Road 803, then over TX Farm Road 803 to the United States Naval Auxiliary Landing Field, and return over the same route; (tt) between Rosenberg, TX, and junction U.S. Hwy 59 and TX Farm Road 360, near Kendleton: from Rosenberg over TX Hwy 36 to Needville, then over TX Farm Road 360 to junction U.S. Hwy 59, and return over the same route, serving no intermediate points; (uu) between Beeville, TX, and the facilities of Trunkline Gas Corp., near Beeville: over TX Hwy 202; (vv) between junction TX Hwys 9 and 72, near Three Rivers, TX, and the facilities of Susquehanna Western, near Three Rivers: over TX Hwy 72; (ww) between Victoria, TX, and the facilities of the Coleta Creek Power Station of Central Power and Light Company, near Fannin, TX: from Victoria over U.S. Hwy 59 to Fannin, then over TX Farm Road 2987 to the facilities of the Coleta Creek Power Station of Central Power and Light Company, and return over the same route, serving no intermediate points; (xx) between junction TX Hwy 60 and

TX Farm Road 521, near Wadsworth, and junction TX Farm Road 521 and TX Hwy 35; over TX Farm Road 521, serving all intermediate points, and serving the facilities of the South Texas Project, Houston Lighting & Power Company, as an off-route point; (yy) between Bay City, TX, and junction TX Farm Road 2668 and 521; over TX Farm Roads 2668, serving all intermediate points; and (zz) between Corpus Christi and Chapman Ranch, TX; from Corpus Christi over unnumbered county road to junction TX Hwy 286, then over TX Hwy 286 to Chapman Ranch, and return over the same route, serving no intermediate points. Condition: (1) To the extent that the certificate in this proceeding authorizes the transportation of classes A and B explosives, it will expire 5 years from its date of issuance. (2) Issuance of a certificate is conditioned upon receipt of applicant's written request for prior or coincidental cancellation of its certificate of registration in Nos. MC-107727 Subs 15, 20, 21, 22, 23, 24, 25, 26, 27, and 28; and (3) The person or persons who it appears may be engaged in common control of applicant and another regulated carrier must either file an application under 49 U.S.C. § 11343(a) (formerly Section 5(2) of the Interstate Commerce Act), or submit an affidavit indicating why such approval is unnecessary.

Notes.—Applicant states that part (B) of this application is to convert its Certificates of Registration in No. MC-107727 Subs 15, 20, 21, 22, 23, 24, 25, 26, 27, and 28 to a certificate of public convenience and necessity. (2) Applicant intends to rely on the issue of rates, and (3) the purpose of this republication is to include Scott County, IA, Clay County, MO, Denver County, CO, Hines and Rankin Counties, MS, and to give notice of applicant's intention to rely on the issue of rates. This application has been designated for oral hearings. A prehearing conference has been set for October 9, 1979 in Washington, D.C.

MC 111231 (Sub-236F) (republication), filed July 24, 1978, previously noticed in the Federal Register issue September 19, 1978. Applicant: JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, AR 72764. Representative: John C. Everett, P.O. Box A, 140 East Buchanan, Prairie Grove, AR 72753. By the Commission, Review Board Number 2, decided July 26, 1979, and served August 20, 1979, finds that the present and future public convenience and necessity require operation by applicant, as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting *iron and steel articles*, from St. Louis, MO, and Chicago, IL to points in OK. Applicant is

fit, willing, and able properly to perform the granted service and to conform to the requirements of Title 49, Subtitle IV, U.S. Code, and the Commission's regulations. The purpose of this republication is to add Chicago, IL as an origin point.

MC 115826 (Sub-325F) (republication), filed June 13, 1978, published in the Federal Register issue August 10, 1978, and republished this issue. Applicant: W. J. DIGBY, INC., 1960 31st Street, Denver, Colorado 80217. Representative: Howard Gore (same address as applicant). A Decision of the Commission, Review Board number 3, decided July 2, 1979, and served August 14, 1979, finds that the present and future public convenience and necessity require the operations by applicant in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes in the transportation of (1) *frozen prepared foods*, and (2) *agricultural commodities*, otherwise exempt from economic regulation under 49 U.S.C. 10526(a)(6)(D), when moving in mixed loads with frozen prepared foods, in vehicles equipped with mechanical refrigeration (a) from the facilities of Arctic Cold Storage, at or near Santa Fe Springs, CA, to Erie, PA, Syracuse, NY, and points in Illinois, Kansas, Michigan, Missouri, and Ohio, and (b) from Erie, PA, to Atlanta, GA, Syracuse, NY, and points in Illinois, Kansas, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, will be consistent with the public interest and the national transportation policy. The purpose of this republication is to modify the territorial description.

MC 129701 (Sub-7F) (republication), filed July 31, 1978, previously noticed in the Federal Register issue of September 19, 1978. Applicant: JASPER FURNITURE FORWARDING, INC., P.O. Box 146, Huntingburg, IN 47542. Representative: Orville G. Lynch, P.O. Box 364, Westfield, IN 46074. By the Commission, Review Board Number 1, decided August 16, 1979, and served August 24, 1979, finds that the present and future public convenience and necessity require operation by applicant, as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting (1) *phonographs, stereo systems, and stereo components* from the facilities of Soundesign Corp., at or near Santa Claus, IN, to Evansville and Indianapolis, IN, Louisville, Owensboro, and Princeton, KY, Cincinnati, OH, and Chicago, IL, (2) *materials and supplies used in the manufacture of the commodities in (1) above*, in the reverse direction, and (3) *empty containers*,

trailers, and chassis between the facilities of Soundesign Corp., at or near Santa Claus, IN, on the one hand, and, on the other, Evansville and Indianapolis, IN, Louisville, Owensboro, and Princeton, KY, Cincinnati, OH, and Chicago, IL restricted in (1), (2), and (3) above to the transportation of traffic having a prior or subsequent movement by rail. Applicant is fit, willing, and able properly to perform such service and to conform to the requirements of Title 49, Subtitle IV, U.S. Code, and the Commission's regulations. The purpose of this republication is to indicate applicant's actual granted authority.

MC 136711 (Sub-32F) (Republication), filed December 12, 1977, previously, noticed in the Federal Register issue of February 9, 1978. Applicant: McCORKLE TRUCK LINE, INC., P.O. Box 95181, Oklahoma City, OK 73109. Representative: G. Timothy Armstrong, Timbergate Office Gardens, 6161 North May Avenue, Suite 200, Oklahoma City, OK 73112. A decision by the Commission, Division 2, Acting as an Appellate Division, decided June 21, 1979, and served June 27, 1979, finds on reconsideration, that the present and future public convenience and necessity require operation by applicant as a *common carrier*, by motor vehicle, in interstate or foreign commerce over irregular routes, transporting (1) *dried fish residuum* from Old Rock, KS to points in AR, LA, MO, OK, and TX, (2) *meat and bone meal* from Emporia, KS, Dakota City, NE, and Amarillo, TX, to points in AR, CO, KS, LA, MO, NE, NM, OK, and TX; (3) *dry rendered tannage* between points in AR, CO, LA, MO, NM, OK, TX, NE, and KS, (4) *animal and poultry feed and feed ingredients*, (a) from Old Rock, KS, to points in AR, LA, MO, OK, and TX and (b) from points in TX to points in AR and LA, restricted in (3) against the Transportation of commodities in bulk, in tank vehicles, between points in AR, and MO, on the one hand, and, on the other, the Kansas City, KS, commercial zone, as defined by the Commission. Applicant is fit, willing, and able properly to perform the granted service and to conform to the requirements of Title 49, Subtitle IV, U.S. Code, and the Commission's regulations. The purpose of this republication is to include Mississippi.

Petitions for Modification, Interpretation or Reinstatement of Motor Carrier Operating Rights Authority

The following petitions seek modification or interpretation of existing motor carrier operating rights authority,

or reinstatement of terminated motor carrier operating rights authority.

All pleadings and documents must clearly specify the suffix numbers (e.g., M1 F, M2 F) where this docket is so identified in this notice.

The following petitions, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's general rules of practice (49 CFR 1100.247). These rules provide, among other things, that a *petition to intervene either with or without leave* must be filed with the Commission within 30 days after the date of publication in *Federal Register* with a copy being furnished the applicant. Protests to these applications will be *rejected*.

A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that if (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l). In deciding whether to grant leave to intervene, the Commission considers, among other things, whether petitioner has (a) solicited the traffic or business of those persons supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. Another factor considered is the effects of any decision on petitioner's interests.

Samples of petitions and the text and explanation of the intervention rules can be found at 43 FR 50908, as modified at 43 FR 60277. Petitions not in reasonable compliance with these rules may be rejected. Note that Rule 247(e), where not inconsistent with the intervention rules, still applies. Especially refer to Rule 247(e) for requirements as to supplying a copy of conflicting authority, serving the petition on applicant's representative, and oral hearing requests.

MC 46280 (M1F), notice of filing of petition to delete a restriction, filed July 13, 1979. Joint Petitioners: KEY LINE FREIGHT, INC., 15 Andre St., SE, Grand Rapids, MI 49507. ALVAN MOTOR FREIGHT, INC., 3600 Alvan Rd.,

Kalamazoo, MI 49001. Representative: John C. Scherbarth, 22375 Haggerty Rd., P.O. Box 400, Northville, MI 48167. Petitioner, Key Line, holds *common carrier* authority in MC 46280, served May 16, 1979. MC 46280 authorizes as pertinent, the transportation of *general commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), over regular routes, (1) between Grand Rapids, MI, and Big Rapids, MI, serving all intermediate points: From Grand Rapids, over MI Hwy 37 via Newaygo, MI, to White Cloud, MI, then over MI Hwy 20 to Big Rapids, and return over the same route; (2) between Grand Rapids, MI, and Fremont, MI, serving all intermediate points: From Grand Rapids to Newaygo as specified above, then over MI Hwy 82 to Fremont, and return over the same route; (3) between Grand Rapids, MI, and Lansing, MI, serving all intermediate points and the off-route point of Woodland, MI: from Grand Rapids over Interstate Hwy 96 (formerly U.S. Hwy 16) to junction MI Hwy 50, then over MI Hwy 50 to junction MI Hwy 43, then over MI Hwy 43 to Lansing, and return over the same route; (4) between Grand Rapids, MI, and Ludington, MI, serving all intermediate points and the off-route points of Elberta, Frankfort, Arcadia and Onkama: From Grand Rapids over U.S. Hwy 131 to junction unnumbered hwy north of Cadillac, MI, thence over unnumbered hwy via Boon and Harrietta, MI, to Mesick, MI, then over MI Hwy 42 to junction MI Hwy 37, then over MI Hwy 37 to junction U.S. Hwy 31, then over U.S. Hwy 31 to junction U.S. Hwy 10, then over U.S. Hwy 10 to Ludington, and return over the same route, restricted in (4) above against service to Manistee and Cadillac, MI; (5) between Scottville, MI, and junction U.S. Hwy 131 and MI Hwy 63, serving all intermediate points: from Scottville over U.S. Hwy 10 to junction MI Hwy 37, then over MI Hwy 37 to junction MI Hwy 63, then over MI Hwy 63 to junction U.S. Hwy 131, and return over the same route, (6) between Big Rapids, MI, and Muskegon, MI, serving all intermediate points: From Big Rapids over MI Hwy 20 via White Cloud, MI, (also from White Cloud over MI Hwy 37 to junction unnumbered hwy north of White Cloud, then over unnumbered hwy to Hesperia, MI, then over MI Hwy 82 to junction MI Hwy 20, then over MI Hwy 20) to Muskegon, and return over the same route, restricted in (1) through (6) above to the following conditions: (1)

No service is authorized at Manistee, MI, and Cadillac, MI, and points within their respective commercial zone; and (2) To the extent that the authority authorizes service at points (a) within the area in MI bounded by a line beginning at Muskegon, extending along Interstate Hwy 96 to junction of U.S. Hwy 131, then over U.S. 131 to junction with unnumbered hwy north of Cadillac, then over unnumbered hwy via Boon and Harrietta to Mesick, then over MI Hwy 42 to junction MI Hwy 37, then over MI Hwy 37 to junction U.S. Hwy 31, then over U.S. Hwy 31 to junction U.S. Hwy 10, then over U.S. Hwy 10 to Ludington, then along the eastern shore of Lake Michigan to Muskegon, including points on the designated Hwys (except Muskegon, Manistee, Cadillac and Grand Rapids and points within their commercial zones), (b) between junction U.S. Hwy 131 and MI Hwy 46, on the one hand, and, on the other, Lakeview, MI, on MI Hwy 46, including all intermediate points, (c) between Big Rapids and Mecosta on MI Hwy 20 including all intermediate points, and (d) Traverse City, MI, and points within its commercial Zone, such service is restricted to the transportation of shipments either originating at or destined to points in OH, IL, IN, and WI. Pursuant to Decision in MC-F-13548, served September 7, 1979, Petitioner, Alvan, will be authorized to operate the above authority when it is consummated.

By this instant joint petition, petitioners seek to delete part (2) of the above stated restriction.

Motor Carrier Operating Rights Applications

The following applications, filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a *petition to intervene either with or without leave* must be filed with the Commission within 30 days after the date of publication in the *Federal Register* with a copy being furnished the applicant. Protests to these applications will be *rejected*.

A petition for intervention without leave must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities

of particular shippers, from and to, or between, any of the involved points.

Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l). In deciding whether to grant leave to intervene, the Commission considers, among other things, whether petitioner has (a) solicited the traffic or business of those persons supporting the application, or, (b) where the identity of those supporting the application is not included in the published application notice, has solicited traffic or business identical to any part of that sought by applicant within the affected marketplace. Another factor considered is the effects of any decision on petitioner's interests.

Samples of petitions and the text and explanation of the intervention rules can be found at 43 FR 50908, as modified at 43 FR 60277. Petitions not in reasonable compliance with these rules may be rejected. Note that Rule 247(e), where not inconsistent with the intervention rules, still applies. Especially refer to Rule 247(e) for requirements as to supplying a copy of conflicting authority, serving the petition on applicant's representative, and oral hearing requests.

MC 53965 (Sub-147F), filed February 21, 1979, previously published in the *Federal Register* issue of June 21, 1979. Applicant: GRAVES TRUCK LINE, INC., P.O. Drawer 1387, Salina, KS 67401. Representative: John E. Jandera, 641 Harrison St., Topeka, KS 66603. Authority sought to operate as a *common carrier*, by motor vehicle, in interstate or foreign commerce, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Minneola, KS, and Lubbock, TX: from Minneola over U.S. Hwy 283 to junction U.S. Hwy 60, at or near Arnett, OK, then over U.S. Hwy 60 to Amarillo, TX, then over Interstate Hwy 27 to Lubbock, and return over the same route, serving no intermediate points, serving Amarillo as point of joinder only in connection with applicant's otherwise authorized regular-route operations. (Hearing sits: Lubbock, TX, or Wichita, KS.)

Note.—Applicant intends to tack and join the sought authority with its present authority at Amarillo, TX, and at Minneola, KS for service, *inter alia*, to points in CO, KS, MO, IA, NE, and OK. The purpose of this republication is to include the tacking information.

Broker, Water Carrier and Freight Forwarder Operating Rights Applications

The following applications are governed by Special Rule 247 of the Commission's General Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date of notice of filing of the application is published in the *Federal Register*. Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(e)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestants would use such an authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues of allegations phrased generally, protests not in reasonable compliance with the requirements of the rules may be rejected.

MC 130590F, filed July 16, 1979. Applicant: FRIENDSHIP TOURS, P.O. Box 17382, West Hartford, CT 06117. Representative: Hugh M. Joseloff, 80 State St., Hartford, CT 06103. To engage in operations, in interstate or foreign commerce, as a *broker*, at Avon, West Hartford, Torrington, and Winsted, CT, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in tour carrier in special and charter operations, beginning and ending at points in Hartford and Litchfield Counties, CT, and extending to points in the United States (including AK and HI). (Hearing site: Hartford, CT)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Taucek Tours, Inc., Extension—New York, N.Y.*, 54 M.C.C. 291 (1952).

MC 130591F, filed July 24, 1979. Applicant: KING TRAVEL SERVICE, INC., One Broadway, Norwich, CT 06360. Representative: Inger King (same address as applicant). To engage in operations, in interstate or foreign commerce, as a *broker*, at Norwich, CT, in arranging for the transportation, by motor vehicle, of *passengers and their*

baggage, in round-trip special and charter operations, beginning and ending at points in New London, Tolland, Hartford, and Windham Counties, CT, and extending to points in the United States (including AK and HI). Hearing site: Hartford or New Haven, CT.)

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Taucek Tours, Inc., Extension—New York, N.Y.*, 54 M.C.C. 291 (1952).

Permanent Authority Decisions Decision-Notice Substitution Applications: Single-Line Service for Existing Joint-Line Service

Decided: September 26, 1979.

The following applications, filed on or after April 1, 1979, are governed by the special procedures set forth in Part 1062.2 of Title 49 of the Code of Federal Regulations (49 CFR 1062.2).

The rules provide, in part, that carriers may file petitions with this Commission for the purpose of seeking intervention in these proceedings. Such petitions may seek intervention either with or without leave as discussed below: However, all such petitions must be filed in the form of verified statements, and contain all of the information offered by the submitting party in opposition. Petitions must be filed with the Commission within 30 days of publication of this decision-notice.

Petitions for intervention without leave (i.e. automatic intervention), may be filed only by carriers which are, or have been, participating in the joint-line service sought to be replaced by applicant's single-line proposal, and then only if such participation has occurred within the one-year period immediately preceding the application's filing. Only carriers which fall within this filing category can base their opposition upon the issue of the public need for the proposed service.

Petitions for intervention with leave may be filed by any carrier. The nature of the opposition; however, must be limited to issues other than the public need for the proposed service. The appropriate basis for opposition, i.e. applicant's fitness, may include challenges concerning the veracity of the applicant's supporting information, and the bona-fides of the joint-line service sought to be replaced (including the issue of its substantiality). Petitions containing only unsupported and undocumented allegations will be rejected.

Petitions not in reasonable compliance with the requirements of the

rules may be rejected. An original and one copy of the petition to intervene shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings: With the exception of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service is required by the present and future public convenience and necessity. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In those proceedings containing a statement or note that dual operations are or may be involved we find, preliminarily and in the absence of the issue being raised by a petitioner, that the proposed dual operations are consistent with the public interest and the transportation policy of 49 U.S.C. 10101 subject to the right of the Commission, which is expressly reserved, to impose such terms, conditions or limitations as it finds necessary to insure that applicant's operations shall conform to the provisions of 49 U.S.C. 10930 (a) (formerly section 210 of the Interstate Commerce Act).

In the absence of legally sufficient petitions for intervention, filed within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of the decision-notice. To the extent that the authority sought below may duplicate an applicant's other authority, such

duplication shall be construed as conferring only a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 2, Members Boyle, Eaton, and Liberman.

MC 1745 (Sub-10F), filed August 6, 1979. Applicant: INTERSTATE VAN LINES, INC., 5801 Rolling Road, West Springfield, VA 22152. Representative: Marshall Kragen, 1835 K Street, N.W., Suite 600, Washington, D.C. 20006. To operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes, transporting household goods, as defined by the Commission, between points in WA, OR, NV, ID, MT, WY, UT, NM, CO, ND, SD, NE, KS, OK, TX, MN, IA, and MO, on the one hand, and, on the other, points in AL, GA, TN, NC, SC, VA, FL, LA, MS, AR, KY, OH, MI, WV, MD, PA, NY, NJ, DE, IL, IN, CT, MA, DC, NH, RI, VT, and ME. (Hearing site: Washington, DC.)

Note.—The sole purpose of this application is to substitute single-line for joint-line operations.

Permanent Authority Decisions Decision-Notice

Decided: September 26, 1979.

The following broker, freight forwarder or water carrier applications are governed by Special Rule 247 of the Commission's Rules of Practice (49 CFR 1100.247). These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after the date notice of the application is published in the Federal Register. Failure to file a protest within 30 days will be considered as a waiver of opposition to the application. A protest under these rules shall comply with Rule 247(e)(3) of the Rules of Practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding, as specifically noted below), and specify with particularity the facts, matters, and things relied upon. The protest shall not include issues or allegations phrased generally. A protestant shall include a copy of the specific portion of its authority which it believes to be in conflict with that sought in the application, and describe in detail the method—whether by joinder, interline, or other means—by which protestant would use this authority to provide all

or part of the service proposed. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one copy of the protest shall be filed with the Commission. A copy shall be served concurrently upon applicant's representative, or upon applicant if no representative is named. If the protest includes a request for oral hearing, the request shall meet the requirements of section 247(e)(4) of the special rules and shall include the certification required in that section.

Section 247(f) provides, in part, that an applicant which does not intend timely to prosecute its application shall promptly request that it be dismissed, and that failure to prosecute an application under the procedures of the Commission will result in its dismissal.

Further processing steps will be by Commission notice, decision, or letter which will be served on each party of record. *Broadening amendments will not be accepted after the date of this publication.*

Any authority granted may reflect administratively acceptable restrictive amendments to the service proposed below. Some of the applications may have been modified to conform to the Commission's policy of simplifying grants of operating authority.

Findings: With the exceptions of those applications involving duly noted problems (e.g., unresolved common control, unresolved fitness questions, and jurisdictional problems) we find, preliminarily, that each applicant has demonstrated that its proposed service is either (a) required by the public convenience and necessity, or, (b) will be consistent with the public interest and the transportation policy of 49 U.S.C. 10101. Each applicant is fit, willing, and able properly to perform the service proposed and to conform to the requirements of Title 49, Subtitle IV, United States Code, and the Commission's regulations. Except where specifically noted, this decision is neither a major Federal action significantly affecting the quality of the human environment nor a major regulatory action under the Energy Policy and Conservation Act of 1975.

In the absence of legally sufficient protests, filed within 30 days of publication of this decision-notice (or, if the application later becomes unopposed), appropriate authority will be issued to each applicant (except those with duly noted problems) upon compliance with certain requirements which will be set forth in a notification of effectiveness of this decision-notice. To the extent that the authority sought below may duplicate an applicant's

existing authority, such duplication shall not be construed as conferring more than a single operating right.

Applicants must comply with all specific conditions set forth in the grant or grants of authority within 90 days after the service of the notification of the effectiveness of this decision-notice, or the application of a non-complying applicant shall stand denied.

By the Commission, Review Board Number 2, Members Boyle, Eaton, and Liberman.

MC 130562F, filed April 25, 1979. Applicant: EVELYN THOMAS d.b.a. GAD-A-BOUT TOURS, RFD NO. 2, Patterson Hill Road, Marcellus, MI 49067. Representative: Robert D. Mollhagen, Bucknell Building, Vicksburg, MI 49097. To engage in operations, in interstate or foreign commerce, as a *broker*, at Marcellus, MI, in arranging for the transportation, by motor vehicle, of *passengers and their baggage* in the same vehicle with passengers, in round-trip special and charter operations, beginning and ending at points in Cass, St. Joseph, Van Buren, Kalamazoo, Berrien, and Allegan Counties, MI, and extending to points in the United States (including AK and HI). Condition: Applicant must file additional evidence with regard to her fitness to perform the proposed operations, including particularly (1) evidence of her ability to conduct these operations in a manner satisfactory to patrons, (2) evidence of applicants good general character, (3) a statement of applicant's willingness to comply with the Commission's regulatory requirements, and (4) evidence of applicant's financial status indicating ability to obtain the required bond. (Hearing site: Lansing, MI).

Note.—Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck Tours, Inc., Extension—New York N.Y., 54 M.C.C. 291 (1952)*.

MC 130604F, filed August 20, 1979. Applicant: ARROW BUSINESS TOURS INC., 50 East 42 Street, Suite 1801, New York, NY 10017. Representative: Suse H. Nitzschker, (same address as applicant). To engage in operations, in interstate or foreign commerce, as a *broker*, at New York, NY, in arranging for the transportation, by motor vehicle, of *passengers and their baggage*, in special and charter operations, between points in the United States (including AK and HI), restricted to the transportation of passengers having a prior movement by air. NOTE: Applicant is cautioned that arrangements for charter parties or groups should be made in conformity with the requirements set forth in *Tauck*

Tours, Inc., Extension—New York, N.Y., 54 M.C.C. 291 (1952). (Hearing site: Washington, DC, or New York, NY.)

Finance Applications

The following applications seek approval to consolidate, purchase, merge, lease operating rights and properties, or acquire control through ownership of stock, of rail carriers or motor carriers pursuant to Sections 11343 (formerly Section 5(2)) or 11349 (formerly Section 210a(b)) of the Interstate Commerce Act.

An original and one copy of protests against the granting of the requested authority must be filed with the Commission on or before November 9, 1979. Such protest shall comply with Special Rules 240(c) or 240(d) of the Commission's *General Rules of Practice* (49 CFR 1100.240) and shall include a concise statement of protestant's interest in the proceeding. A copy of the protest shall be served concurrently upon applicant's representative, or applicant, if no representative is named.

Each applicant states that approval of its application will not significantly affect the quality of the human environment nor involve a major regulatory action under the Energy Policy and Conservation Act of 1975.

In No. MC-F-13670F, authority to conduct the following operations will be issued in an appropriate document. This decision does not constitute authority to operate. To operate as a *common carrier* by motor vehicle, in interstate or foreign commerce, over regular routes, transporting: *General Commodities* (except those of unusual value, nitroglycerine, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), between Hutchinson, KS, and Arlington, KS, serving all intermediate points: From Hutchinson over Kansas Highway 17 to junction unnumbered Highway, thence over unnumbered Highway to Arlington, and return over the same route. *General Commodities* (except those of unusual value, nitroglycerine, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Topeka and McPherson, KS, serving the intermediate points of Abilene, Sand Spring, Solomon and Salina, KS, and the off-route points of Seandale and Wabaunsee, KS; From Topeka over U.S. Highway 40 to Salina, thence over U.S. Highway 81 to McPherson, and return over the same route. Between junction U.S. Highway 40 and Highway 43, and

Herington, KS, serving the intermediate points of Hope, Navarre, and Enterprise, KS, and the off-route point of Pearl, KS, and serving junction U.S. Highway 40 and Kansas Highway 43 for purposes of joinder only: From junction U.S. Highway 40 and Kansas Highway 43 over Kansas Highway 43 to Hope, KS, thence over Kansas Highway 4 to junction U.S. Highway 77, thence over U.S. Highway 77 to Herington, and return over the same route. Between Wichita, KS, and junction U.S. Highways 56 and 77, 3 miles east of Marion, KS, serving the intermediate point of Peabody, KS, and the off-route points of Kechi, Furley, Whitewater, Elbing and Aulne, KS, and serving junction U.S. Highways 56 and 77 for purposes of joinder only: From Wichita over U.S. Highway 81 to Newton, KS, thence over U.S. Highway 50 to junction U.S. Highway 77, thence over U.S. Highway 77 to junction U.S. Highway 56, 3 miles east of Marion, and return over the same route. Between Wichita, KS, and Hutchinson, KS, over Kansas Highway 96, serving no intermediate points. Between Topeka, KS, and Hutchinson, KS, serving the intermediate points of Medora, Inman, Groveland, McPherson, Marion, Herington, Latimer, White City, Dwight, Alma, and the off-route points of Valencia, Willard, Maple Hill, Vera, Paxico, McFarland, Volland, Alta Vista, Woodbine, Shady Brook, Ramona, Lost Springs, Tampa, Lincolnville, Antelope, Durham, Canton, and Galva, KS, and serving junction U.S. Highway 40 and Kansas Highway 99 and junction U.S. Highways 77 and 56, 3 miles east of Marion for purposes of joinder only. From Topeka, KS, over U.S. Highway 40 to junction Kansas Highway 99, thence over Kansas Highway 99 to junction Kansas Highway 4, thence over Kansas Highway 4 to junction U.S. Highway 77, thence over U.S. 77 to Herington, KS, thence over U.S. Highway 56 to McPherson, thence over Kansas Highway 61 to Hutchinson, and return over the same route. Between Hutchinson, KS, and Pratt, KS, over Kansas Highway 61, serving all intermediate points and the off-route points of Whitesides and Iuka, KS. Between Hutchinson, KS, and Wichita, KS, serving no intermediate points, but serving the off-route points of Yoder, KS, and U.S. Naval Air Station, near Yoder: From Hutchinson over Kansas Highway 17 to junction U.S. Highway 54 and thence over U.S. Highway 54 to Wichita, and return over the same route. Between Wichita, KS, and Dalhart, TX, over U.S. Highway 54, serving no intermediate points between Wichita and Pratt, KS,

but serving Pratt and all intermediate points between Pratt and Dalhart, and the intermediate points of Tyrone, Hooker, and Guyman, OK, and Texhoma, OK-TX, and Stratford and Chamberlin, TX, and the off-route point of Missler, KS. Between Mullinville, KS, and Dodge City, KS, over U.S. Highway 154, serving all intermediate points, and the off-route points of Bucklin, KS, Army Training Field near Dodge City, and Dodge City Airport. Between Minneola, KS, and Dodge City, KS, over U.S. Highway 283, serving all intermediate points. *General Commodities* (except those of unusual value, nitroglycerine, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), serving the site of the Herington Satellite Air Field, near Herington, KS, as an off-route point in connection with carrier's presently authorized regular-route operations between Herington and Topeka, KS. *General Commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of Western Electric Company at or near Goddard, KS, as an off-route point in connection with carrier's authorized regular route operations.

In No. MC 57393 (Sub-No. 7F), authority to conduct the following operations will be issued in an appropriate document. This decision does not constitute authority to operate. To operate as a *common carrier* by motor vehicle, in interstate or foreign commerce, over regular routes, transporting: (1) *General Commodities* (except those of unusual value, dangerous explosives, livestock, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), between Norwich, KS, and junction unnumbered county highway and Kansas Highway 42, serving all intermediate points: From Norwich east over Kansas Highway 42 to junction old Kansas Highway 42, 2 miles north of Milton, KS, thence over old Kansas Highway 42 through Anness, KS, to junction new Kansas Highway 42, near Viola, KS, thence over Kansas Highway 42 to Wichita, KS, thence over U.S. Highway 54 to junction unnumbered county highway, 5 miles west of Garden Plain, KS, thence south over said unnumbered county highway to junction Kansas Highway 42, and return over the same route, between

junction Kansas Highways 49 and 42, near Viola, KS, and Conway Springs, KS, over Kansas Highway 49, serving all intermediate points. Between junction unnumbered county highways, near Viola, KS, serving all intermediate points: From junction unnumbered county highways, .5 miles north of Viola, thence east 5 miles over unnumbered county highway, thence north 1 mile, thence east 2.5 miles to Clearwater, KS, thence north 4 miles over unnumbered county highway, thence east 3 miles to Bayneville, KS, thence east 1 mile over unnumbered county highway, thence north 2 miles to junction unnumbered county highway, .5 miles west of Oatville, KS, thence east .5 miles to Oatville, thence east 1.5 miles over unnumbered county highway, thence north 4 miles to Wichita, and return over the same route. Between junction unnumbered county highway and Kansas Highway 42 (2 miles north of Milton, KS,) and Milton, KS, over unnumbered county highway, serving all intermediate points. Between junction old Kansas Highway 42 and new Kansas Highway 42 near Milton, KS, and junction old Kansas Highway 42 and new Kansas Highway 42 near Viola, KS, over new Kansas Highway 42, as an alternate route for operating convenience only in connection with carriers regular route operations, serving no intermediate points. Between junction new Kansas Highway 42 and unnumbered county highway and Anness, KS, as an alternate route for operating convenience only, in connection with carriers regular route operations, serving no intermediate points: From junction new Kansas Highway 42 and unnumbered county highway (6 miles east of Norwich) north 1 mile over said unnumbered county highway, thence east ¼ mile, thence north to Anness, and return over the same route. Between junction unnumbered county highway near Bayneville, KS, and Wichita, KS, serving all intermediate points. From junction unnumbered county highways, 1 mile east of Bayneville, east 4 miles over unnumbered county highway to Haysville, KS, thence 7 miles over unnumbered county highway to Wichita, and return over the same route. Serving points within a 9-mile radius of Cheney, KS, Missile Site No. 6-A near Anness, KS; Missile Site No. 13-A near Norwich, KS; Rago, KS, near junction Kansas Highways 14 and 42; The Phillips Petroleum Pipe Line Company Plant near Rago, KS; Missile Site No. 7 near junction Kansas Highways 14 and 42; Adams, KS, on Kansas Highway 42 and 8 miles west of Norwich, KS; and

Missile Site H near Conway Springs, KS. (2) *General Commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Wichita, KS, and Wellington, KS, over U.S. Highway 81, serving all intermediate points. Between Wellington, KS, and Ashland, KS, over U.S. Highway 160, serving all intermediate points. Between Harper, KS, and Anthony, KS, over Kansas Highway 14, serving all intermediate points. Between Coldwater, KS, and Buttermilk, KS, over Kansas Highway 1, serving all intermediate points. From Coldwater, KS, to Wichita, KS, as an alternate route for operating convenience only in connection with carriers regular route operations, serving no intermediate points: From Coldwater over Kansas Highway 1 to junction U.S. Highway 54, thence over U.S. Highway 54 to Wichita. Between Wichita, KS, and Caldwell, KS, over U.S. Highway 81, serving all intermediate points: Between South Haven, KS, and Hunnewell, KS, over U.S. Highway 177, serving all intermediate points. From South Haven, KS, to junction Kansas Turnpike (Interstate Highway 35) and U.S. Highway 81, serving all intermediate points: From South Haven, KS, east 5 miles over U.S. Highway 166 to junction unnumbered county highway, thence north 1.5 miles to Portland, KS, thence return over unnumbered county Highway to junction U.S. Highway 166, thence east 4 miles over U.S. Highway 166, thence north 2 miles to Ashton, KS, thence return over unnumbered county highways to U.S. highway 166, thence east 5 miles over junction U.S. Highway 166 to junction unnumbered county highway, thence return over unnumbered county highway to Geuda Springs, KS, thence return over unnumbered county highway junction U.S. Highway 166, thence west over U.S. Highway 66 to junction Kansas Turnpike (Interstate Highway 35) and U.S. Highway 81. Between Ashton, KS, and junction U.S. Highway 160 and Kansas Turnpike (Interstate Highway 35) or U.S. Highway 81, as an alternate route for operating convenience only in connection with carriers regular route operations, serving no intermediate points: From Ashton north 1.5 miles on unnumbered county highway, thence east 5 miles on unnumbered county highway to Geuda Springs, KS, thence .5 miles over unnumbered county highway, thence north 11 miles over unnumbered highway to Oxford, KS, and thence west over U.S. Highway 160 to junction Kansas Turnpike (Interstate Highway

35) or U.S. Highway 81. Between Wellington, KS, and junction unnumbered county highway and U.S. Highway 81, serving all intermediate points. From Wellington south 6 miles over U.S. Highway 81, thence west 6 miles over unnumbered county highway to Perth, KS, thence west 2 miles and south 3 miles over unnumbered county highways to Corbin, KS, thence east 1 mile and south 6.5 miles over unnumbered county highway to junction U.S. Highway 81. Between Wellington, KS, and Caldwell, KS, as an alternate route for operating convenience only in connection with carriers regular route operations, serving no intermediate points. From Wellington over U.S. Highway 160 to junction Kansas Highway 49, and thence over Kansas Highway 49 to Caldwell. Between Caldwell, KS, and Wichita, KS, serving all intermediate points including the Wellington Service Area on Interstate Highway 35 (Kansas Turnpike): From Caldwell over U.S. Highway 81 to South Haven, KS, thence over U.S. Highway 166 to junction Interstate Highway 35 (Kansas Turnpike), thence over Interstate Highway 35 to Wichita, and return over the same route. *General Commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Wichita, KS and Pratt, KS, over U.S. Highway 54, serving all intermediate points and the off-route points of Pratt, Air Force Base (4 miles north of Pratt) Coats, Sawyer, Zenda, Spivey, Nashville, and Isabel, KS. Between Pratt, KS, and Medicine Lodge, KS, over U.S. Highway 281, serving all intermediate points. Between South Haven, KS, and Arkansas City, KS, over U.S. Highway 166, serving all intermediate points. Between Wellington, KS, and Oxford, KS, over U.S. Highway 160, serving all intermediate points. Between Dalton's Corner and junction Kansas Highway 55 and U.S. Highway 81, as an alternate route for operating convenience only, in connection with carriers regular route operations, serving no intermediate points: From Dalton's Corner (4 miles east of Wellington, KS), north over Kansas Highway 53 to Belle Plaine, KS, thence west over Kansas Highway 55 to junction U.S. Highway 81, and return over the same route. *General Commodities* (except those of unusual value, dangerous explosives, household goods, as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and commodities requiring special

equipment), between Wichita, KS, and Leon, KS, serving all intermediate points and off-route points within a 5-mile radius of said points. From Wichita, KS, over combined U.S. Highway 54 and Kansas Highway 96 via Augusta, KS, to junction Kansas Highway 96, thence over Kansas Highway 96 to Leon, KS, and return over the same route.

MC-F-13691F. Authority to conduct the following operations will be issued in an appropriate document. This decision does not constitute authority to operate. To operate as a *common carrier* by motor vehicle, in interstate or foreign commerce, over regular routes transporting: (1) *General commodities* (except those of unusual value, nitroglycerine, HHG as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Griswold, IA, and junction Iowa Highway 48 and U.S. Highway 6, over Iowa Highway 48, serving no intermediate points, but serving the off-route points of Lewis, IA, to be served from U.S. Highway 6: Between junction U.S. Highway 59 and Iowa Highway 92, and junction U.S. Highways 59 and 6, over U.S. Highway 59, serving no intermediate points: Between Atlantic, IA, and Audubon, IA, serving all intermediate points: From Atlantic, IA, and Audubon, IA, serving all intermediate points: From Atlantic over U.S. Highway 6 to junction U.S. Highway 71, then over U.S. Highway 71 to Audubon, and return over the same route. Between Omaha, NE, and Griswold, IA, serving the intermediate points of Council Bluffs, Treynor, and Carson, IA: From Omaha across the Missouri River to Council Bluffs, IA, then over Iowa Highway 92 to Griswold, and return over the same routes. (2) *General commodities* (except those of unusual value, nitroglycerine, HHG as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Harlan, IA, and Omaha, NE, serving the intermediate points of Corley, Minden, Neola, Underwood, and Weston, IA, and the off-route point of Shelby, IA: From Harlan over U.S. Highway 59 to Avoca, IA, then over Iowa Highway 83 to junction Iowa Highway 64, southeast of Neola, then over Iowa Highway 64 to Council Bluffs, IA, and then across the Missouri River to Omaha, and return over the same route. Between Avoca, IA, and Atlantic, IA, over Iowa Highway 83, serving the intermediate points of Hancock, Walnut and Marne, IA: From

Avoca over U.S. Highway 59 to Oakland, IA, then over U.S. Highway 6 to Atlantic, and return over the same route. (3) *General commodities* (except those of unusual value, nitroglycerine, livestock, commodities requiring special equipment, and those injurious or contaminating to other lading), between Avoca, IA, and Atlantic, IA, serving the intermediate and off-route points of Hancock, Oakland, Marne, and Walnut, IA; from Avoca over U.S. Highway 59 to junction U.S. Highway 6 to Atlantic, and return over Iowa Highway 83 to Avoca. (4) *General commodities* (except those of unusual value, and except livestock, HHG as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), service is authorized to and from Corley, IA, as an off-route point in connection with said carrier's authorized regular route between Omaha, NE, and Harlan, IA.

MC-F-13946F. Transferee: WARSAW MOVING & STORAGE, INC., Route 15 North, P.O. Box 256, Warsaw, IN 46580. Transferor: FRANK AMODIO MOVING & STORAGE CO., INC., 600 East Street, New Britain, CT 06614. Representative: Robert J. Gallagher, Esq., 1000 Connecticut Avenue, N.W., suite 1200, Washington, DC 20036. Authority sought to purchase by transferee of the operating rights of transfer as set forth and granted under MC-F-12788, as follows: Irregular routes: *Household goods* as defined by the Commission, between Hartford, CT, and points within ten miles of Hartford, on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and New York. Between New Britain, CT, and points in Connecticut within ten miles of New Britain (except Hartford, CT), on the one hand, and, on the other, points in Pennsylvania, New Jersey, and Rhode Island. Between New Britain, CT, and points within ten miles of New Britain, on the one hand, and, on the other, points in Massachusetts and New York. Irregular routes: *Household goods*, between points in Hartford, and Tolland Counties, CT, and Hampden, Hampshire, Franklin, and Worcester Counties, MA, on the one hand, and, on the other, points in Connecticut, New Hampshire, New York, Rhode Island, Vermont, New Jersey, and Pennsylvania. Irregular routes: *Household goods*, as defined by the Commission, between those points in that part of New Jersey south and east of a line beginning at the Atlantic Ocean, extending along Interstate Highway 287 to junction U.S. Highway 202, thence along U.S.

Highway 202 to the New Jersey-Pennsylvania State line, on the one hand, and, on the other, those points in that part of New York north and east of a line beginning at the New York-Massachusetts State line, extending along U.S. Highway 20 to junction New York Highway 30, thence along New York Highway 30 to the United States-Canada Boundary line. Between points in Fairfield, Middlesex, and New Haven, CT, on the one hand, and, on the other, points in New Hampshire and Vermont. Between points in Rhode Island, on the one hand, and, on the other, points in Pennsylvania. Between those points in Massachusetts east of Worcester County, on the one hand, and, on the other, points in Pennsylvania. Between points in that part of New York north and east of a line beginning at the New York-Massachusetts State line, extending along U.S. Highway 20 to junction New York Highway 30, thence along New York Highway 30 to the United States-Canada Boundary line, on the one hand, and, on the other, points in that part of Pennsylvania south and east of a line beginning at the Pennsylvania-New Jersey State line extending along Interstate Highway 95 to junction Interstate Highway 276, thence along Interstate Highway 76, thence along Interstate Highway 76 to junction Pennsylvania Highway 10, thence along Pennsylvania Highway 10 to the Pennsylvania-Maryland State line. Between points in Albany County, NY, on the one hand, and, on the other, points in that part of Pennsylvania south and west of a line beginning at the Pennsylvania-Ohio State line extending along Interstate Highway 80 to junction Pennsylvania Highway 36 to junction U.S. Highway 119, thence along U.S. Highway 119 to junction Pennsylvania Highway 56, thence along Pennsylvania Highway 56 to junction U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line. Between those points in Massachusetts east of Worcester County, on the one hand, and, on the other, points in New Jersey. Between points in Connecticut except Windham County, on the one hand, and, on the other, points in Maine. Between points in Connecticut except Fairfield County, on the one hand, and on the other, points in Pennsylvania west of a line beginning at the Pennsylvania-New York State line extending along Pennsylvania Highway 44 to the Susquehanna River, thence along the Susquehanna River to the Pennsylvania-Maryland State line. Between points in Fairfield County, CT, on the one hand, and, on the other, points in Erie and Crawford Counties,

PA. Between points in Rhode Island, on the one hand, and, on the other, points in New York. Between points in Massachusetts east of Worcester County, on the one hand, and, on the other, points in New York south of a line beginning at the New York-Massachusetts State line extending along U.S. Highway 20 to junction New York Highway 5, thence along New York Highway 5 to junction New York Highway 69, thence along New York Highway 69 to junction New York Highway 13, thence along New York Highway 13 to Lake Ontario. Between points in Vermont, on the one hand, and, on the other, points in New Jersey. *In No. MC-83108 (Sub No. 2)*, applicant granted authority to operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes: (1) *Household Goods, as defined by the Commission*, between points and places in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, New York, New Jersey, Connecticut, and Pennsylvania, on the one hand, and, on the other, points in Pennsylvania, Rhode Island, New Hampshire, New York, Vermont, New Jersey, Maryland, Delaware, and the District of Columbia. *In No. MC-83108*, applicant granted authority to operate as a common carrier, by motor vehicle, in interstate or foreign commerce, over irregular routes: (1) *Household Goods, as defined by the Commission*, between New Britain, Connecticut and points in Connecticut within 20 miles thereof, on the one hand, and, on the other, points in Maryland, Pennsylvania, Delaware, New Jersey, New York, Massachusetts, New Hampshire, Rhode Island and the District of Columbia. New Britain, Connecticut and points within 20 miles thereof, on the one hand, and, on the other, points in Vermont and Maine. Application has been filed for temporary authority under section 210a(b) of the Act.

MC-F-14048F. Transferor: PAYNE MOTOR LINES, INC., P.O. Box 1239, Lamoille, NV 89828. TRANSFEREE: D&G TRUCKING, INC., 4420 E. Overland Rd., Meridian, ID 83642. Representative: David E. Wishney, Attorney at Law, P.O. Box 837, Boise, ID 83701. Authority sought for purchase by D & G TRUCKING, INC. of a portion of the operating rights of PAYNE MOTOR LINES, INC. Operating rights sought to be purchased: ICC cert. MC-138273 (Sub No. 3); *Meat Products and Articles Distributed by Meat Packinghouses*, except commodities in bulk, over irregular routes, from facilities of Missouri Beef Packers, Inc., (now Iowa Beef Processors, Inc.), at or near Boise,

Idaho, to points in Washington, California, Oregon, Nevada and Utah, with no transportation for compensation on return except as otherwise authorized and restricted to the transportation of traffic originating at the above-named origin facilities and destined to the above named destinations. Approval of the proposed transaction will not result in vendee acquiring duplicating authority. Approval of the proposed transaction will result in a split of vendor's authority. An application for temporary authority under section 210(a)(b) of the Act has been filed with the Commission. (Hearing site: Boise, ID; Reno, NV.)

Correction: MCF-14089F. In FR Doc. 79-26901 appearing at page 50681 in the issue for Wednesday, August 29, 1979, at the beginning of line twenty-two "MCF-14089F" should be changed to "MCF-14089F," and in column two, line twenty-eight, after "Pittsburgh, PA" should be inserted "and Washington, PA" and in column three, line two, after the sentence ending in the word "authorized" the following should be inserted: "Edible animal fats, animal oils, and vegetable oils, including products and blends thereof, with or without emulsifiers, preservatives, coloring or additives, in packages, and oleomargarine, in packages, from the site of the refinery plant of the Shortening, and Edible Oil Division of Armour & Company at or near Bradley, IL, to Pittsburgh, McKees Rocks, Oakdale, Bellevue, Baden, Avalon, and Carnegie, PA, and Youngstown, Akron, and Cuyahoga Falls, OH, with no transportation for compensation on return except as otherwise authorized." And in column three, line twenty-four, at the end of the line add "NJ and NY."

MC-F-14107F. Transferee: NATIONAL OIL & SUPPLY CO., INC., 2345½ W. Kerney, Springfield, MO 65803. Transferor: ELLIS TRANSPORT, INC., 2345½ W. Kerney, Springfield, MO 65803. Representative: Bruce McCurry, 910 Plaza Towers, Springfield, MO 65803. Authority sought for merger of Ellis Transport, Inc. into National Oil & Supply Co., Inc., at 2345½ W. Kerney, Springfield, MO 65803, in Docket No. MC-119766, issued August 9, 1960, as follows: Irregular routes: *Petroleum products*, in bulk, in tank vehicles, from Bristow, Cleveland, Cushing, and Tulsa, OK, to points in that part of MO on and south of U.S. Highway 40, with no transportation for compensation on return except as otherwise authorized. From Coffeyville, KS to Aurora, Greenfield, Mansfield, Monett, Springfield, West Plains, and Winona, MO, with no transportation for

compensation on return except as otherwise authorized. Transferee presently holds a permit under its lead Docket MC-13324. Dual operations have been approved in Docket No. MC-145350 F.

MC-F-14141F. Transferee: T.F.S., INC., Box 126, Rural Route 2, Grand Island, NE 68801. Transferor: LTL PERISHABLES, INC., 550 East 50th Street South, South St. Paul, MN 55075. Representatives: Lavery R. Holdeman, Peterson, Bowman & Johanns, 521 South 14th St., Suite 500, P.O. Box 81849, Lincoln, NE 68501; Paul Nelson, 550 East 50th Street South, South St. Paul, MN 55075. Authority sought to purchase by T.F.S., INC., Box 126, Rural Route 2, Grand Island, Nebraska 68801, of a portion of the operating rights of LTL Perishables, Inc., 550 East 50th Street South, South St. Paul, MN 55075, of control of such rights through the transaction. Applicants' representatives: Lavern R. Holdeman, P.O. Box 81849, Lincoln, NE 68501, and Paul Nelson, 550 East 50th St., South St. Paul, MN 55075. Operating rights, as a *common carrier*, over irregular routes, sought to be transferred: (1) *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Whitehall Packing Company, Inc., at or near Whitehall and Eau Claire, WI, to points in CT, DE, IL, ME, MD, MA, MI, NH, NJ, NY, OH, PA, RI, VT, VA, WV and DC, with no transportation for compensation on return except as otherwise authorized. Restriction: The authority granted herein is restricted to the transportation of shipments originating at the named origins and destined to the named destinations; (2) *Meat, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the facilities of Whitehall Packing Company, Inc., located at or near Whitehall and Eau Claire, WI, to points in IA, KS, MO, NE, ND and SD, with no transportation for compensation on return except as otherwise authorized; (3)-(1) *Foodstuffs* (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from the facilities of Termicold, Inc., at or near Bettendorf, IA, to points in ND and CO; and (2) *Foodstuffs and materials, equipment and supplies used in the*

processing and packaging of foodstuffs (except commodities in bulk), in vehicles equipped with mechanical refrigeration from points in WA, OR, ID and CA to the facilities of Termicold, Inc. at or near Bettendorf, IA. Restricted to traffic originating in the named states and destined to the facilities of Termicold, Inc., located at or near Bettendorf, IA. T.F.S., Inc. holds authority as a contract carrier conducting operations between various points in the U.S. for the accounts of Oxford Cheese Corporation, Ag Service, Inc., Morgen Manufacturing Co. Bonsail Pool Co., and Endicott Clay Products Co. Application has been filed for temporary authority under Section 210a(b). NOTE: Dual operations may be involved.

MC-F-14151F. Authority sought for control by McGill's Taxi and Bus Lines, Inc., d/b/a Asheville Coach Co., 151 Sunset Avenue, Asheville, NC 27203 of Wilson Bus Co., Inc., 314 Alexander Street, Fayetteville, NC 28301, and for acquisition by Clarence M. McGill, 151 Sunset Avenue, Asheville, NC 27203, of control of Wilson Bus Co., Inc., through the acquisition by McGill's Taxi and Bus Lines, Inc., d/b/a Asheville Coach Co. Applicant's attorney: Wilmer B. Hill, 805 McLachlen Bank Bldg., 666 Eleventh Street NW., Washington, DC 20001. Operating rights sought to be controlled: *Passengers and their baggage*, in the same vehicle with passengers, in charter operations, and in special operations in round-trip sightseeing and pleasure tours, beginning and ending in Cumberland, Sampson, Johnston, Wilson, Greene, Bladen, Edgecombe, Harnett, Nash, Pitt, and Wayne Counties, NC, and extending to points in the United States (except AK and HI). Vendee is authorized to operate as a common carrier in all States in the United States (except AK and HI). An application has not been filed for temporary authority under Section 11349 (formerly 210a(b)). Hearing site: Asheville, NC or Fayetteville, NC.

MC-F-14169F. Parties: FEED TRANSPORTS, INC., P.O. Box 818, Hugoton, KS 67951; REFRIGERATED FOODS, INC., P.O. Box 1018, Denver, CO 80201. Representative: Austin L. Hatchell, 801 Vaughn Bldg., Austin, TX 78701—Ph. 512-476-6083. Authority sought: Approval of the following transaction: FEED TRANSPORTS, INC.—Purchase (Portion)—REFRIGERATED FOODS, INC. The certificate involved is a portion of MC 118207.

MC-F-14164F. Authority sought by McHugh Brothers Heavy Hauling, Inc., McHugh Brothers Crane Rentals, Inc., and Bucks County Construction

Company, affiliated companies having a business address of 152 Monroe Avenue, Pennel, PA 19047. Applicant's attorney: E. Stephen Heisley, Suite 805, 666 Eleventh Street, NW, Washington, DC 20001. Transferee seeks to acquire all of the operating authority in MC-126034 and subs thereto, pertaining primarily to the transportation of *commodities*, the transportation of which, because of their size and weight, require the use of special equipment, between points and places in NJ, NY, PA, MA, CT, RI, and DE. (Hearing site: Philadelphia, PA.)

MC 14165F. Filed August 10, 1979. Applicants: Computer Assisted Load Matching, Inc., 1616 P Street, NW, Washington, DC 20036; Nelson Freightways, Inc., 47 E Street, E. Rockville, CT 06066; Forbes Refrigerated Transport, Inc., P.O. 7098, Wilson, NC 27893; Fruitbelt Trucking, Inc., 12 Smith Street, St. Catharines, Ontario, Canada, L2T-3H9; Frozen Food Express, P.O. Box 5888, Dallas, TX 75222; Casket Distributors, Inc., P.O. Box 327, Harrison, OH 45030; Continental Contract Carrier, Inc., 15045 E. Salt Lake Ave., City of Industry, CA 91749; Warren Transport, Inc., P.O. Box 420, Waterloo, IA 50704; and Schilli Motor Lines, P.O. Box 123, Remington, IN 47977. Representative: Harry J. Jordan, Esquire, Suite 502, Solar Building, 1000—16th Street, NW, Washington, DC 20036. Authority sought to pool services under 49 USC 11342 in the transportation of property, in interstate and foreign commerce, from and to points throughout the United States, except Alaska and Hawaii. (Hearing site: Washington, DC.)

MC-F-14166F. Transferee: REFRIGERATED TRANSPORT CO., INC., P.O. Box 308, Forest Park, GA 30050. Transferors: DAKOTA EXPRESS, INC. and LTL PERISHABLES, INC., 550 East Fifth Street, South St. Paul, MN 55075. Operating rights sought to be purchased: As a *common carrier*, by motor vehicle, over irregular routes, in the transportation of: Irregular routes: Meats, meat products and meat by-products and articles distributed by meat packinghouses, as described in Sections A & C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, (except hides and skins), From Sioux Falls, SD, to points in IL with no transportation for compensation on return except as otherwise authorized. Irregular routes: Meats, meat products, and meat by-products, and articles distributed by meat packinghouses, as described in Sections A, B & C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C.

209 and 766 (except hides and commodities in bulk, in tank vehicles), from Madison and Sioux Falls, SD, to points in CT, DE, ME, MD, MA, MI, NH, NJ, NY, OH, PA, RI, VT, WV, VA, and DC, with no transportation for compensation on return except as otherwise authorized. Irregular routes: Animal feed, and meats, meat products, meat by-products, dairy products and articles distributed by meat packinghouses as described in Sections A, B and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766*, (except commodities in bulk), From points in KS, MO, and IL (except points in the Chicago, IL Commercial Zone, as defined by the Commission), to ports of entry on the United States-Canada Boundary Line located in Minnesota and North Dakota, with no transportation for compensation on return except as otherwise authorized. Irregular routes: Frozen potatoes and potato products, From Clark, SD, to points in CO, DE, IL, IN, KS, KY, MD, MI, MO, NJ, NY, OH, PA, VA, WV, and DC, with no transportation for compensation on return except as otherwise authorized. Restriction: The authority granted herein is restricted to the transportation of traffic originating at Clark, SD and destined to the indicated destinations. Irregular routes: Meat, meat products and meat by-products and articles distributed by meat packinghouses, as described in Sections A & C of Appendix I to the report in *Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766* (except hides and commodities in bulk), From points in the U.S. (except Alaska, Hawaii, AL, FL, GA, IA, MN, NC, ND, NE, SC, SD, TN, MS, and WI) to ports of entry on the U.S.-Canada Boundary Line located at or near Pembina, ND and Noyes, MN; and From the ports of entry on the U.S.-Canada Boundary line located at or near Pembina, ND and Noyes, MN to points in the U.S. (Except Alaska, Hawaii, AL, FL, GA, IA, MN, NC, ND, NE, SC, SD, TN, MS, and WI). Restriction: The operations authorized herein are restricted to the transportation of foreign commerce only. Irregular routes: Frozen potato products (except in bulk) From Clark, SD to points in CT, ME, MA, NH, NC, RI, SC, TN and VT. Restriction: The authority granted herein is restricted to the transportation of traffic originating at the named origin and destined to the indicated destinations. Irregular routes: Meats, meat products and meat by-products, dairy products, and articles distributed by meat packinghouses, as described in Sections A, B, & C of Appendix I to the report in

Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except hides and commodities in bulk) (1) from the facilities of John Morrell & Co., at Sioux Falls, SD, to points in IN, and KY, and (2) From the facilities of John Morrell & Co., at Esterville, IA, to points in IN, KY, MI, and OH, restricted in (1) and (2) above to the transportation of traffic originating at the named origin facilities and destined to the indicated destinations. Irregular routes: Meats, meat products, meat by-products and articles distributed by meat packinghouses, as described in Sections A & C of Appendix I to the report in *Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766*, (except commodities in bulk and hides) From the facilities of Iowa Beef Processors, Dakota City, NE and Sioux City, IA to points in MI and OH. Restricted to traffic originating at the facilities of Iowa Beef Processors, Inc., Dakota City, NE and Sioux City, IA and destined to the points in the named states or in foreign commerce. Irregular routes: Frozen potatoes and potato products, (except in bulk), from the facilities of Midwest Foods Corporation located at or near Clark, SD, to Sioux Falls, SD, with no transportation for compensation on return except as otherwise authorized. From the facilities of Midwest Foods Corporation, located at or near Sioux Falls, SD, to points in CO, CT, DE, IL, IN, KS, KY, MD, MA, ME, MI, MO, NH, NJ, NY, OH, PA, RI, VA, WV, VT, and DC, with no transportation for compensation on return except as otherwise authorized. Restriction: The authority granted herein is restricted to the transportation of traffic originating at the facilities of Midwest Foods Corporation located at or near Clark and Sioux Falls, SD, and destined to points in the above-named states. Irregular routes: *Foodstuffs*, (except in bulk), From Duluth, MN and Superior, WI, to points in IL, IN, MI, and OH, with no transportation for compensation on return except as otherwise authorized. Restriction: The service granted above is restricted to the transportation of shipments originating at the facilities of Jen's, Inc., at or near Duluth, MN and Superior, WI, and destined to points in the above-named destination states. Irregular routes: *Meat, meat by-products and articles distributed by meat packinghouses* as described in Sections A & C of Appendix I, to the Report in *Descriptions in Motor Carrier Certificates 61 M.C.C. 209 and 766* (except hides and commodities in bulk), from E. St. Louis and National Stockyards, IL and St. Louis, MO to

points in CT, DE, DC, IN, KY, ME, MD, MA, the Lower Peninsula of MI, NH, NJ, NY, OH, PA, RI, VT, VA, and WV. Restricted to traffic originating at E. St. Louis, and National Stockyards, IL and St. Louis, MO. Irregular routes: Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses, and in connection therewith, equipment, materials and supplies used in the conduct of such business (except commodities in bulk), in vehicles equipped with mechanical refrigeration, from Chicago, IL to points in MN, ND and SD. Restricted to traffic originating at the named origin points and destined to the named destination points and further restricted against service from the facilities of Couzens Warehouse at Hodgkins, IL. Irregular routes: *Frozen potatoes and potato products* from the facilities of International Co-op, at or near Grand Forks, ND to points in CT, DE, IL, IN, KS, KY, ME, MD, MA, MI, MO, NH, NJ, NY, NC, OH, PA, RI, SC, TN, VT, VA, WV and DC. Irregular routes: *Meat, meat products, and meat by-products and articles distributed by meat packinghouses*, as described in Sections A & C of Appendix I to the report in *Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766* (except hides and commodities in bulk), from the facilities of John Morrell & Co., at (a) St. Paul, MN and (b) Sioux City, IA, to points in IL, IN, KY, OH, the Lower Peninsula of MI, WV, VA, MD, DE, NJ, PA, NY, CT, RI, MA, NH, VT., ME and DC, restricted to the transportation of traffic originating at the named origin facilities and destined to the indicated destinations. Irregular routes: *Foodstuffs*, (except commodities in bulk) in vehicles equipped with mechanical refrigeration, from Kansas City, MO-KS, to points in AL, FL, GA, IL, IN, KY, NC, OH, SC, TN, and the Lower Peninsula of MI, restricted to the transportation of traffic originating at Kansas City, MO-KS, and destined to points in the named destination states. Irregular routes: (1) *alcoholic beverages*, such commodities as are dealt in by distributors of alcoholic beverages and materials, supplies and equipment used in the sale of alcoholic beverages (except commodities in bulk) from points in CO, CT, DE, DC, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MO, NE, NH, NJ, NY, OH, OK, PA, RI, TN, TX, VT, VA and WV to points in SD and ND; and (2) *malt beverages, advertising materials and supplies* (except commodities in bulk), from Milwaukee, WI to points in SD. Restriction: Restricted in (1) and (2) to traffic originating at points in the named states

and in foreign commerce and destined to the facilities of distributors of alcoholic beverages in ND and SD. Irregular routes: *Frozen foods*, (except commodities in bulk), from the facilities used by General Foods Corporation at Albert Lea, Waseca, Mankato, and Fairmont, MN, to points in IL, IN, IA, KS, MI, WI, MO, NE, ND, OH and SD, restricted to the transportation of traffic originating at the named origin facilities and destined to the indicated destinations. Irregular routes: *Meats, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Sections A & C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766 (except commodities in bulk and hides), (1) Between Minneapolis, MN on the one hand, and on the other, points in KS, NE, MO, ND, SD, IA, WI, IL, IN, KY, OH, TN, MI, WV, VA, SC, NC, GA, DC, MD, DE, PA, NJ, NY, CT, RI, MA, NH, VT, and ME. Restricted to traffic originating at or destined to the facilities utilized by Goldberger Foods, Inc., Goldberger, Inc., Goldberger International, Inc., Sam Goldberger, Sam Goldberger, Inc., and Sam Goldberger International, Inc., Minneapolis, MN. (2) From Amarillo, TX, Emporia and Wichita, KS, Dakota City, NE, and Sioux City, IA to points in ND, SD, MN, IA, WI, IL, MI, IN, OH, KY, TN, SC, NC, GA, MO, WV, VA, DC, MD, DE, NJ, PA, NY, CT, RI, MA, NH, VT, and ME. Restricted to traffic moving on bills of lading of Goldberger Foods, Inc., Goldberger, Inc., Goldberger International, Inc., Sam Goldberger, Sam Goldberger, Inc., and Sam Goldberger International, Inc., originating at the named origins and destined to points in the named states or in foreign commerce. Irregular routes: Such commodities as are dealt in by retail and wholesale department stores, hardware stores, building material supply centers and home improvement stores, and, in connection therewith, materials and supplies used in the conduct of such business (except foodstuffs and commodities in bulk), (1) From points in ME, NH, VT, MA, CT, RI, NY, NJ, PA, DE, DC, MD, WV, VA, NC, SC, GA, FL, AL, TN, KY, OH, MI, IN, MO, KS, and CO to points in IL, IA, MN, NE, ND, SD and WI. (2) From points in IL, IA and NE, to points in MN, ND, SD and WI. Restricted to traffic originating at points in the named states or in foreign commerce and destined to points in the named states. Irregular routes: (1) *Building materials and supplies* (except commodities in bulk) (a) From the facilities of Alside, Inc., North Hampton Township, OH, to points in WI, IL, MN,

MI (Upper Peninsula), IA, ND, SD, NE, MO, and KS. Restricted to traffic originating at the facilities of Alside, Inc., North Hampton Township, OH and destined to points in the named states. (b) From the facilities of Space Vinyl Division, AlumaKing Corp., West Salem, OH to points in WI, IL, MN, MI, (Upper Peninsula), IA, ND, SD, NE, MO and KS. Restricted to the traffic originating at the facilities of Space Division, AlumaKing Corp., West Salem, OH and destined to points in the named states. (2) *Materials and supplies* used in the manufacture of building materials, from Oswego, NY to the facilities of Alside, Inc., North Hampton Township, OH. Restricted to traffic originating at Oswego, NY and destined to the facilities of Alside, Inc., North Hampton Township, OH. Irregular routes: (1) *Aluminum, aluminum products, building materials, electric cable, and metal powders* (except commodities in bulk, and those the transportation of which because of size or weight requires the use of special equipment) and (2) materials and supplies used in the sale of the commodities in (1) above, from Oswego, NY, Williamsport and Lancaster, PA; Fairmont, WV; Union, Elizabeth, and Woodbridge, NJ; Warren, OH; Bay St. Louis, MS; Tucker, GA, and Pineville, NC, to those points in the United States in and east of ND, SD, NE, CO, OK, and TX. Restricted to the transportation of traffic originating at the facilities of Alcan Aluminum Corporation at the named origins and destined to the indicated destinations. Irregular routes: *Chemicals*, (except in bulk), from Bradford, Eighty Four and Petrolia, PA and the Pittsburgh, PA Commercial Zone, to points in IA, IL, IN, KS, KY, MI, MN, MO, NE, ND, SD, TN and WI; Restricted to traffic originating at the named origins and destined to the named destinations. Irregular routes: *Foodstuffs* (except commodities in bulk), in mechanically refrigerated vehicles from Chicago, IL to points in PA, OH, KY, MI, IN, WI, MN, ND, SD, NE, CO, KS, IA and MO; Restricted to traffic originating at the facilities of Continental Freezers of IL and U.S. Cold Storage, Chicago, IL and destined to points in the named states.

Caption Summary

MC-F-14167F. COOK MOTOR LINES, INC., 1016 Triplett Blvd., P.O. Box 370, Akron, OH 44309—Control and Merger—Y.E.L.P. SERVICE INC., River Road, East Liverpool, OH 43920. Representative: John P. McMahon, George, Greek, King, McMahon & McConaughy, 100 East Broad Street, Columbus, OH 43215. Authority sought

by COOK MOTOR LINES, INC., 1016 Triplett Blvd., P.O. Box 370, Akron, OH 44309, to control Y.E.L.P. SERVICE, INC., River Road, East Liverpool, OH 43920, through the acquisition of all of its capital stock and to merge the operating rights and properties of Y.E.L.P. SERVICE, INC. with and into COOK MOTOR LINES, INC. at such time or times following consummation as in the discretion of transferee the same can be most efficiently and economically accomplished. Applicants' attorney is John P. McMahon, 100 East Broad Street, Columbus, OH 43215. Operating rights sought to be controlled authorize the transportation of general commodities (usual exceptions) over described regular routes between Pittsburgh, PA and Youngstown, East Liverpool, Wellsville, Salem, Columbiana, and Salineville, OH, serving specified intermediate and off-route points in PA, WV, and OH, and over irregular routes transporting rolling mill equipment from Avonmore, Pittsburgh, and Midland, PA to a described area in northeastern OH and northern WV; used or scrap rolling mill rolls from northeastern OH and northern WV to Pittsburgh, PA; earthenware from Newell, WV to Akron, OH; and used or scrap rolling mill rolls from points in northeastern OH and northern WV to Avonmore and Midland, PA. Transferee is authorized to transport general commodities (usual exceptions), between points in OH and points in WV over regular and irregular and irregular routes, (Hearing site: Columbus, OH.)

MC-F-14168F. Transferee: EASTERN BUS LINE, INC., RFD #1, Route 85, Bolton, CT 06040. Transferors: THE BLUE LINE, INC., Windham Center, CT 06280 and ROSE A. PEPIN, EXECUTRIX OF THE ESTATE OF RODERICK PEPIN DBA RODDY'S BUS SERVICE, Windham Center, CT 06280. Representatives: Thomas W. Murrett, 342 North Main Street, West Hartford, CT 06117, Robert J. Haggerty, P.O. Box 245, Willimantic, CT 06226. Authority sought for the purchase by the transferee of the operating rights of transferor The Blue Line, Inc. in Certificate No. MC-29935 and MC-29935 (Sub No. 1) issued March 24, 1958 and October 1, 1963 respectively, as follows: *Passengers and their baggage, and express and newspapers, in the same vehicle with passengers*, Between Springfield, MA and New London, CT, serving all intermediate points: From Springfield over MA Hwy 83 to the MA-CT state line, thence over CT Hwy 83 to Somers, CT, thence over CT Hwy 20 to Stafford Springs, CT, thence over CT Hwy 32 to New London, and return over

the same route. From junction CT Hwy 32 and 195 near Merrow, CT, over CT Hwy 195 to junction CT Hwy 89, thence over CT Hwy 89 to junction CT Hwy 32 at or near Willimantic, CT, and return over the same route. The above described authority to transport passengers was issued pursuant to applications filed on or before January 1, 1967, and therefore incidental charter operations in interstate or foreign commerce may be conducted under rules and regulations prescribed by the Commission pursuant to section 208(c) of the Interstate Commerce Act, as amended November 10, 1966. Transferee also seeks authority for the purchase of the operating rights of transferor Rose A. Pepin, Executrix of the Estate of Roderick Pepin, dba Roddy's Bus Service in Certificate No. MC-110546 issued November 18, 1966, as follows: *Passengers and their baggage, in round-trip charter operations, Beginning and ending at North Windham, CT and points within 10 miles thereof and extending to points in ME, MA, NH, and RI. Transferee presently holds authority from this Commission as a motor carrier of passengers in Docket No. MC-4860 and MC-4860 (Sub No. 1). Application was filed for temporary authority under 49 U.S.C. 11349.*

Proposed "Federal Register" Publication

MC-F-14168F. By application filed, EASTERN BUS LINE, INC., RFD #1, Route 85, Bolton, CT 06040 seeks temporary authority to transfer the operating rights of THE BLUE LINE, INC., Windham Center, CT 06280 and ROSE A. PEPIN, EXECUTRIX OF THE ESTATE OF RODERICK PEPIN DBA RODDY'S BUS SERVICE, Windham Center, CT 06280 under 49 U.S.C. 11349. The transfer of EASTERN BUS LINE, INC. of the operating rights of THE BLUE LINE, INC. and ROSE A. PEPIN, EXECUTRIX OF THE ESTATE OF RODERICK PEPIN DBA RODDY'S BUS SERVICE is presently pending.

Transfer Proceedings

The following publications include motor carrier, water carrier, broker, and freight forwarder transfer applications filed under Section 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act.

Each application (except as otherwise specifically noted) contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application.

Protests against approval of the application, which may include request for oral hearing, must be filed with the

Commission on or before November 9, 1979. Failure seasonably to file a protests will be construed as a waiver of opposition and participation in the proceeding. A protest must be served upon applicants' representative(s), or applicants (if no such representative is named), and the protestant must certify that such service has been made.

Unless otherwise specified, the signed original and six copies of the protest shall be filed with the Commission. All protests must specify with particularity the factual basis, and the section of the Act, or the applicable rule governing the proposed transfer which protestant believes would preclude approval of the application. If the protest contains a request for oral hearing, the request shall be supported by an explanation as to why the evidence sought to be present cannot reasonably be submitted through the use of affidavits.

The operating rights set forth below are in synopses form, but are deemed sufficient to place interested persons on notice of the proposed transfer.

Finance Docket No. 29141F filed September 17, 1979. Transferor: U.S. INTERNATIONAL FREIGHT FORWARDERS, INC., (Internal Revenue Service—Successor-In-Interest), 5205 Leesburg Pike, Bailey's Crossroads, VA 22041. Transferee: CONTAINER INTERNATIONAL, INC., 3063 Hartley Road, Jacksonville, FL 32217. Representative: Alan F. Wohlstetter, 1700 K St., N.W., Washington, DC 20006. Authority sought for purchase by transferee of the operating rights of transferor as set forth in Freight Forwarder Permit No. FF-437, issued June 3, 1974, as follows: Used automobiles, between points in the United States (including Hawaii but excluding Alaska). Restriction: The authority granted above is restricted to the transportation of export-import traffic. Used household goods and unaccompanied baggage, between points in the United States (including Hawaii but excluding Alaska). Transferee holds no authority from the Commission.

MC-FC-78095 (correction) filed April 11, 1979, published in the *Federal Register* issue of September 7, 1979, and republished as corrected this issue. Transferee: FIVE STAR EXPRESS, INC., 935 Grattan St., Chicopee, MA 01020. Transferor: R. LAVOIE TRUCKING CO., INC., (same address). Representatives: David Marshall, 101 State St., Springfield, MA 01103; Francis E. Barrett, Jr., 10 Industrial Park Road, Hingham, MA 02043. Authority sought for purchase by transferee of operating rights held by transferor in Certificate of

Registration No. MC 85681 Sub 1, issued January 7, 1964, authorizing general commodities, over irregular routes, between points in Massachusetts. Transferee holds no authority from the Commission. An application for temporary lease authority has not been filed. The purchase of this republication is to indicate the correct rights proposed for transfer.

MC-FC-78117, filed April 26, 1979. Transferee: ARTHUR BRUNDAGE, INC., d.b.a. ONEONTA BUS LINES, 46 Orchard St., Oneonta, NY 13820. Transferor: CRISPELL CHARTER SERVICE, INC., 220 Owego St., Montour Falls, NY 14865. Representative: Jeremy Kahn, Suite 733 Investment Bldg., 1511 K St., NW, Washington, DC 20005. Authority sought for purchase by transferee of the operating rights of transferor contained in Certificates Nos. MC 107493 and MC 107493 Sub 1, issued November 16, 1959, and November 17, 1959, respectively, authorizing the transportation of passengers and their baggage, between Ithaca, NY, and Brooktondale, NY, over a specified regular route, in No. MC 107493; and passengers and their baggage in round-trip charter operations, from Ithaca, NY, and points in NY and PA within 50 miles of Ithaca, with named exceptions, to points in CT, DE, IL, IN, MD, MA, MI, NH, NJ, NY, NC, OH, PA, SC, TN, VT, VA, and DC, and from Auburn and Syracuse, NY, to Ithaca, NY and return, and passengers and their baggage in special operations on round-trip sightseeing or pleasure tours, from Burdett, NY, to Watkins Glen, NY, and return. Transferee holds authority in MC 89578. Application for temporary authority has been filed.

MC-FC-78104, filed April 18, 1979. Transferee: EAST COAST TRUCKING & RIGGING, INC., 2415 Mercer Dr., Cocoa, FL. Transferor: FLORIDA TERMINALS & TRUCKING COMPANY, a corporation, P.O. Box 13607, Orlando, FL 32809. Representative: James E. Wharton, Suite 811, Metcalf Bldg., 100 S. Orange Ave., Orlando, FL 32801. Authority sought for the purchase by transferee of a portion of the operating rights of transferor, as set forth in Certificate of Registration MC-96770 (Sub-No. 1), issued November 12, 1963, as follows: *Freight*, of any kind and character, from the Florida East Coast Railway Company's tracks in Brevard County, to the Joint Long Range Proving Grounds and Launching Site, and *heavy machinery* that requires special equipment and cannot be handled by on regular trucks, to, from and between all points and places in Brevard County. *General commodities*, between Cocoa,

FL and Canaveral, FL, over a specified route. Operation as a *heavy hauler*, between all points in Brevard County, FL and from all points in Brevard County to points in Indian River, Osceola, Polk, Hillsborough, Orange, Seminole, Volusia, and Manatee Counties, and return, transporting solely and exclusively heavy machinery, contractor's equipment, poles, boilers, tanks, pipe, and articles to heavy or bulky for regular general commodity carriers to handle with ordinary and usual general commodity trucking equipment, or which require special services not ordinarily performed or offered to the public by regular general commodity carriers. Transferee presently holds no authority from this Commission. Application for temporary authority has not been filed under 49 U.S.C. 11349.

MC-FC-78177, filed: June 5, 1979. Transferee: STEEL DELIVERY, INC., P.O. Box 310, South Main Street, Niles, Ohio 44446. Transferors: OHIO FAST FREIGHT, INC., 1544 North Main Street, P.O. Box 808, Niles, Ohio 44482. SUN EXPRESS, INC., P.O. Box 1831, Warren, Ohio 44482. Applicant's Representative: Michael L. Moushey, Beery & Spurlock Co., L.P.A., 275 East State Street, Columbus, Ohio 43215. Authority sought for purchase by Transferee of a portion of the operating rights of Transferor, Ohio Fast Freight, as set forth in Certificate No. MC-14702 (Sub 17)*, as issued May 21, 1968, as follows: *Iron, steel, manufactured iron and steel articles, motors, machinery, and machinery parts*, between points in Cuyahoga (except Cleveland, OH), Summit, Stark, Tuscarawas, Portage, Mahoning, and Trumbull Counties, OH, on the one hand, and, on the other, points in Illinois in the Chicago Illinois Commercial Zone as defined by the Commission. Authority sought for purchase by Transferee of a portion of the operating rights of the Transferor, Ohio Fast Freight, as set forth in Certificate No. MC-14702 (Sub 27), issued October 28, 1970, as follows: *Iron and steel electrical conduit pipe*, from the plant sites of Jones and Laughlin Steel Corporation at Niles, OH, and New Kensington, PA, the plant sites of Triangle Conduit and Cable Company, Inc., at Glendale, WV, and the plant site of H. K. Porter Company, Inc., at Cambridge, PA, to Chicago, IL and its Commercial Zone.

MC-FC-78227, filed July 11, 1979. Transferee: COLLINS, WHOLESALE SUPPLY, INC., 4073 Hooker Rd., Roseburg, OR 97470. Transferor: CARL COLLINS, d.b.a. COLLINS WHOLESALE BUILDING MATERIALS,

4073 Hooker Rd., Roseburg, OR 97470. Applicants' representative: Kerry D. Montgomery, 400 Pacific Bldg., Portland, OR 97204. Authority sought for: the transfer of operating rights as set forth in Certificate No. MC 140592 (Sub. No. 2), issued June 6, 1978, acquired by Collins in MC-FC 77812 which was consummated February 28, 1979, which authorizes the transportation of abrasive grit (Granulated slag) from points in Douglas County, OR to points in CA, OR and WA, with no transportation for compensation on return except as otherwise authorized. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under 49 U.S.C. 11349.

MC-FC-78243, filed July 30, 1979. Transferee: PENINSULA TRUCK LINES, INC., 6314 7th Avenue South, P.O. Box 80038, Seattle, WA 98108. Transferor: JACK BEST BEATRICE McNUTT, d.b.a. OLYMPIC TRANSPORTATION CO., 306 East State St., Aberdeen, WA 98520. Applicants' representative: Carl A. Jonson, P.S., 300 Central Building, Seattle, Washington, 98104. Authority sought for: (1) the transfer of the operating rights of transferor, as set forth in Certificate No. MC 65723, issued December 8, 1949, to transferee, which authorizes the transportation of general commodities, except those of unusual value, household goods, dangerous explosives, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading from Aberdeen, WA over U.S. Hwy 101 to Forks, WA serving the intermeideate and off-route points of Hequiam, Humptulips, Neilton, Quinault, Queets, Kalaloch, Ewell Ranch, and Clearwater, WA; and from Aberdeen, WA, over U.S. Hwy 101 to junction Washington Highway 90 to Taholah, and return over the same route; and (2) the transfer of the operating rights of transferor as set forth in Certificate No. MC 65723 (Sub 2) which authorizes the transportation of the above-mentioned commodities from Copalis Beach, WA over Washington Highway 90 to junction U.S. Hwy 101, thence over U.S. Hwy 101 to Aberdeen, and return over the same route, with off-route service to Hoquiam, Tulips, Copalis, Copalis Crossing, and Ocean City, WA. Transferee presently holds no authority from this Commission. Application has been filed for temporary authority under 49 U.S.C 11349.

MC-FC-78265, filed August 20, 1979. Transferee: MARION TRANSPORT, INC., 265 35th St., Marion, IA 52302. Transferor: HILL AND WILLIAMS BROS., INC., 799 44th St., Marion, IA

52302. Representative: Robert E. Konchar, P.O. Box 1943, Cedar Rapids, IA 52406. Authority sought for the purchase by transferee of a portion of the operating rights of transferor as set forth in Permit No. MC 134752 (Sub-No. 4), issued September 19, 1978, as follows: *Expanded cellular plastic products*, from Marion, IA, to points in AR, CO, ID, IL, IN, KS, KY, MI, MN, MO, MT, NE, ND, OH, OK, PA, SD, TN, WV, WI, and WY. *Equipment materials and supplies* used in the manufacturing of expanded cellular plastic products, from the destinations listed above to Marion, IA, restricted against the transportation of commodities in bulk, in tank vehicles, under continuing contract with Poly Cell Industries, Inc., of Marion, IA. Transferee presently holds no authority from this Commission. Application has not been filed for temporary authority under 49 U.S.C. 11349.

MC-FC-78271, filed August 20, 1979. Transferee: ISENHOWER TRANSFER CO., INC., P.O. Box 773, Conover, NC 28613. Transferor: FOUR WINDS VAN LINES, INC., P.O. Box 81985, San Diego, CA 92138. Representative: Robert J. Gallagher, Suite 1200, 1000 Connecticut Ave. NW., Washington, DC 20036. Authority sought for the purchase by transferee of the portion of the operating rights of transferor, as set forth in Certificate No. MC 15643, issued May 27, 1949, as follows: *Household goods* as defined by the Commission, between points in NC, on the one hand, and, on the other, points in VA, FL, GA, SC, and TN. Transferee presently holds no authority from this Commission. Application has been filed for temporary authority under 49 U.S.C. 11349.

MC-FC-78273, filed August 15, 1979. Transferee: RONALD R. GANDER, 215 Wellesley SE, Albuquerque, NM 87106. Transferor: DAVID L. HALDER, P.O. Box 513, Ojo Caliente, NM 87549. Representative: Roger V. Eaton, P.O. Drawer 965, Albuquerque, NM 87103. Authority sought for the purchase by transferee of the operating rights of transferor, as set forth in Permit MC 144663 (Sub-No. 2), issued May 18, 1979, as follows: *Gypsum and gypsum products* from Rosario, NM, to Denver, Grand Junction, Loveland, and Colorado Springs, CO, under continuing contract with Western Gypsum Company, of Sante Fe, NM. Transferee presently holds no authority from this Commission. Application has been filed for temporary authority under 49 U.S.C. 11349.

MC-FC-78274, filed August 14, 1979. Transferee: WEST WORLD TRANSPORTATION CO., INC., 1415 E. Carson St., Carson, CA 90746.

Transferor: P & G TRANSPORT, INC., 14066 S. Garfield Ave., Paramount, CA 90723. Representative: Fred H. Mackensen, 9454 Wilshire Blvd., Suite 400, Beverly Hills, CA 90212. Authority sought for the purchase by transferee of the operating rights of transferor, as set forth in Certificates 95838 and MC 95838, (Sub-No. 1); and Certificate of Registration MC 95838 (Sub-No. 3), issued October 24, 1949, July 2, 1952, and April 23, 1964, respectively, to Snyder Transfer Company, Inc. and transferred to transferor herein in MC-FC 77149, by the Commission, Motor Carrier Board, by order dated July 25, 1977, as follows: *Household goods* as defined by the commission, and *new furniture*, between Los Angeles Harbor and Long Beach, CA, on the one hand, and, on the other, Beverly Hills, Glendale, and Los Angeles, CA, *Electric storage batteries and battery cables*, from Los Angeles, CA, to the ports of entry of Wilmington, Oakland and San Francisco, CA, subject to a restriction. *General commodities*, with exceptions, between points in the Los Angeles Basin Territory. Transferee presently holds no authority from this Commission. Application has been filed for temporary authority under 49 U.S.C. 11349.

MC-FC-78276, filed August 10, 1979. Transferee: REGENCY LIMOUSINE, INC., 228 Danbury Road, Wilton, CT 06897. Transferor: THOMAS E. SCOTT, JR., d.b.a. HUMPHREY'S AUTO LIVERY SERVICE, Lakeside Drive, Ridgefield, CT 06877. Representative: Philip F. Spanton, 322 Main St., Stamford, CT 06901. Authority sought for purchase by transferee of operating rights held by transferor in Certificate No. MC 128665, issued June 19, 1967, authorizing transportation of passengers and their baggage, in charter operations, between points in Fairfield, CT (with exceptions), on the one hand, and, on the other, points in NY, NJ, PA, and MA, with restrictions. Transferee holds no authority from the Commission. An application for temporary lease has not been filed.

Authority sought for purchase by Transferee of a portion of the operating rights of Transferor, Ohio Fast Freight, as set forth in Certificate No. MC 14702 (Sub 59G), issued January 7, 1976, as follows: *Iron, steel, manufactured iron and steel articles, motors, machinery, and machinery parts (except commodities requiring special equipment)*, between Chicago, IL, on the one hand, and, on the other, points in West Virginia, points in Ohio east of a line beginning at the Maumee River and extending along U.S. Highway 23 to the Ohio-Kentucky state line, points in

Pennsylvania, New Jersey, Virginia, Maryland, and the District of Columbia.

Authority sought for purchase by Transferee of a portion of the operating rights of Transferor, Ohio Fast Freight, as set forth in "E" Letter Notice No. MC 14702 (Sub E-5), as published in the Federal Register on June 14, 1974, as follows: *Iron, steel, manufactured iron and steel articles, motors, machinery, machinery parts (except commodities requiring special equipment and commodities in bulk)*, between points in that part of Pennsylvania on and east of U.S. Highway 219, the District of Columbia, New Jersey, and Maryland, on the one hand, and, on the other, points in Illinois, in the Chicago, IL Commercial Zone as defined by the Commission.

Authority sought for purchase by Transferee of a portion of the operating rights of Transferor, Ohio Fast Freight, as set forth in "E" Letter Notice No. MC 14702 (Sub E-6), as published in the Federal Register on June 14, 1974, as follows: *Iron, steel, manufactured iron and steel articles, motors, machinery, machinery parts (except commodities requiring special equipment and commodities in bulk)*, between points in Virginia on and east of a line beginning at the Virginia-West Virginia state line, thence south along U.S. Highway 522 to its intersection with U.S. Highway 29, thence along U.S. Highway 29 to its intersection with Virginia Highway 20, thence along Virginia Highway 20 to its intersection with U.S. Highway 460, thence along U.S. Highway 460 to its intersection with Virginia Highway 46, thence along Virginia Highway 46 to the Virginia-North Carolina state line, on the one hand, and, on the other, points in Illinois, in the Chicago, IL Commercial Zone as defined by the Commission.

Authority sought for purchase by the Transferee of a portion of the operating rights of Transferor, Ohio Fast Freight, as set forth in "E" Letter Notice No. MC 14702 (E-7), as published in the Federal Register on June 14, 1974, as follows: *Iron, steel, manufactured iron and steel articles, motors, machinery, and machinery parts (except commodities requiring special equipment and commodities in bulk)*, between points in Pennsylvania on and west of U.S. Highway 219 (except points in Greene and Washington Counties), on the one hand, and, on the other, points in Illinois in the Chicago, IL Commercial Zone as defined by the Commission.

Authority sought for purchase by the Transferee of a portion of the operating rights of Transferor, Ohio Fast Freight, as set forth in "E" Letter Notice No. MC 14702 (E-9), as published in the Federal

Register on June 14, 1974, as follows:

Iron, steel, manufactured iron and steel articles, motors, machinery, and machinery parts (except commodities requiring special equipment and commodities in bulk), between points in West Virginia east and north of a line beginning at the Ohio-West Virginia State line, thence along West Virginia Highway 20 to its intersection with U.S. Highway 19, thence along U.S. Highway 19 to its intersection with U.S. Highway 60, thence along U.S. Highway 60 to the West Virginia-Virginia state line, on the one hand, and, on the other, points in Illinois, in the Chicago, IL Commercial Zone as defined by the Commission.

Authority sought for purchase by the Transferee of a portion of the operating rights of Transferor, Ohio Fast Freight, as set forth in "E" Letter Notice No. MC 14702 (E-19), as published in the Federal Register on June 14, 1974, as follows: *Iron, steel, manufactured iron and steel articles, motors, machinery, and machinery parts (except commodities in bulk)*, between points in Illinois, in the Chicago, IL Commercial Zone as defined by the Commission, on the one hand, and, on the other, points in Ashtabula, Geauga, Lake, Trumbull, Carroll, Jefferson, Harrison, and Belmont Counties, Ohio. Also, authority sought to purchase a portion of No. MC 14702 (E-8), authorizing iron, steel, manufactured iron and steel articles, motors, machinery, and machinery parts (except commodities requiring special equipment and commodities in bulk), between points

Authority sought for purchase by the Transferee of a portion of the operating rights of Transferor, Ohio Fast Freight, as set forth in "E" Letter Notice No. MC 14702 (E-21), as published in the Federal Register on June 19, 1974, as follows: *Iron, steel, iron and steel articles, which because of size or weight or nature require the use of flat bottom vehicles, or vehicles with sides not in excess of 36 inches in height*, from points in Illinois, in the Chicago, IL Commercial Zone as defined by the Commission, on the one hand, and, on the other, points in Armstrong, Clarion, Fayette, Forest, Warren and Westmoreland Counties, Pennsylvania.

Authority sought for purchase by the Transferee of the operating rights of Transferor, Ohio Fast Freight, as set forth in "E" Letter Notice No. MC 14702 (E-42), as published in the Federal Register on July 16, 1974, as follows: *Road machinery*, between points in Illinois, in the Chicago, IL Commercial Zone as defined by the Commission, on the one hand, and, on the other, points in Pennsylvania.

Authority sought for purchase by the Transferee of a portion of the operating rights of Transferor, Sun Express, Inc., as set forth in Certificate No. MC 119531 (Sub 7), as issued on November 3, 1961, as follows: *Machinery*, between Cleveland, OH, on the one hand, and, on the other, points in New Jersey, Pennsylvania, and points in New York within a two hundred (200) mile radius of Newark, New Jersey.

Note.—Transferee holds no other operating authority, either interstate or intrastate. If a hearing is deemed necessary, applicants respectfully request that it be held in either Cleveland or Columbus, Ohio.

Operating Rights Application(s) Directly Related To Finance Proceedings

The following operating rights application(s) are filed in connection with pending finance applications under Section 11343 (formerly Section 5(2)) of the Interstate Commerce Act, or seek tacking and/or gateway elimination in connection with transfer applications under Section 10926 (formerly Section 212(b)) of the Interstate Commerce Act.

On applications filed before March 1, 1979, an original and one copy of *protests* to the granting of authorities must be filed with the Commission on or before November 9, 1979. Such protests shall conform with Special Rule 247(e) of the Commission's *General Rules of Practice* (49 CFR 1100.247) and include a concise statement of protestant's interest in the proceeding and copies of its conflicting authorities.

Applications filed on or after March 1, 1979, are governed by Special Rule 247 of the Commission's *General Rules of Practice* also but are subject to petitions to intervene either with or without leave. An original and one copy of the petition must be filed with the Commission within 30 days after date of publication. A petition for intervention must comply with Rule 247(k) which requires petitioner to demonstrate that it (1) holds operating authority permitting performance of any of the service which the applicant seeks authority to perform, (2) has the necessary equipment and facilities for performing that service, and (3) has performed service within the scope of the application either (a) for those supporting the application, or, (b) where the service is not limited to the facilities of particular shippers, from and to, or between, any of the involved points. Persons unable to intervene under Rule 247(k) may file a petition for leave to intervene under Rule 247(l) setting forth the specific grounds upon which it is made, including a detailed statement of petitioner's interest, the particular facts, matters, and things relied upon, the extent to which

petitioner's interest will be represented by other parties, the extent to which petitioner's participation may reasonably be expected to assist in the development of a sound record, and the extent to which participation by the petitioner would broaden the issues or delay the proceeding.

Verified statements in opposition should not be tendered at this time. A copy of the protest or petition to intervene shall be served concurrently upon applicant's representative or applicant if no representative is named.

Each applicant states that approval of its application will not significantly affect the quality of the human environment nor involve a major regulatory action under the Energy Policy and Conservation Act of 1975.

MC 2860 (Sub-185F), filed August 27, 1979. Applicant: NATIONAL FREIGHT, INC., 57 West Park Avenue, Vineland, NJ 08360. Representative: Peter J. Nickles, 888 Sixteenth Street, N.W., Washington, DC 20006. Authority sought to transport, as a common carrier, over irregular routes, general commodities, with the usual exceptions, (1) Between points in NJ, NY, CT, MA, RI, DE, PA, and MD, on the one hand, and, on the other, points in ME, NH and VT; and (2) Between points in Essex, Caroline, King William, Hanover, Goochland, and Henrico Counties, VA, on the one hand, and, on the other, points in NJ, NY, CT, MA, RI, DE, PA, and MD; and (3) Between points in Camden, Atlantic, Gloucester, Salem and Cumberland Counties, NJ, on the one hand, and, on the other, points in ME, NH, and VT; and (4) Between points in NJ, NY, CT, MA, RI, DE, PA, and MD, on the one hand, and, on the other, points in VA and Washington, DC; and (5) Between Lancaster County, VA, on the one hand, and, on the other, points in NJ, NY, CT, MA, RI, DE, PA, and MD; and (6) Between points in King George County, VA, on the one hand, and, on the other, points in NJ, NY, CT, MA, RI, DE, PA, and MD. (Hearing site: Washington, DC.)

Note.—The purpose of this application is to eliminate the gateways at Maryland Highway 50 and Glassboro, Deepwater, Bridgeton and Camden, NJ. This proceeding is a gateway elimination request filed pursuant to the Commission's Policy Statement in Ex Parte No. 55 (Sub-8) noticed in the Federal Register of December 9, 1974, and is directly related to Docket No. MC-F-14084, published in a previous section of this Federal Register Notice, and indirectly related to Docket Nos. MC-F-11327 and MC 2860 (Sub-144).

MC 71459 (Sub-No. 72) (M-1) notice of filing of petition for modification of petition filed August 27, 1979, Petitioner: Boss-Linco Lines, Inc., operator of a

portion of O.N.C. Freight Systems, Inc., 3909 Genesee Street, Cheektowaga, NY 14225. Petitioners representative, Harold G. Hernly, Jr., 110 South Columbus Street, Alexandria, Virginia 22314. O.N.C. Freight Systems, Inc., is acquiring certain certificated authority, Docket No. MC-71459 (Sub-No. 72) as approved by your Commission to O.N.C. Freight Systems, Inc., from other affiliates of ROCOR International in Docket No. MC-F-12675. Petitioner, Boss-Linco Lines, Inc., in the meantime, has contracted with O.N.C. Freight Systems and ROCOR International to acquire a portion of the authority to be acquired by O.N.C. involving both regular and irregular route general commodity service between a system of regular routes generally extending between Chicago and points within 50 miles thereof, on the west, and Boston and Philadelphia and points intermediate thereto on the east. Boss-Linco Lines, Inc., has made application to your Commission for approval of this transfer including a request to lease this certificate pending final disposition of the permanent transfer proceeding. By the instant petition, as provided for in its agreement with O.N.C. Freight Systems, Inc., for the purpose of such authority, petitioner seeks to amend and enlarge the commodity description set forth above by deleting from the exceptions in those descriptions all references to "commodities moving in mechanically refrigerated equipment". This will enable Boss-Linco to move such commodities by mechanically refrigerated equipment over the routes described which services it presently performs within its own route system; and to modify the service authorized therein to include service at the following intermediate points (1) Cleveland, Ohio; (2) the junction of U.S. Highway 224 and Ohio 14; (3) the junction of U.S. Highway 244 and Interstate Highway 77; (4) the junction of Interstate Highway 80, and, (5) the junction of Interstate Highway 80 and Ohio Highway 14, and (6) the junction of Ohio Highway 10 and Interstate Highway 77. Each of these intermediate points are presently authorized to Boss-Linco under its existing regular route general commodities certificates and will enable O.N.C. under the considered rights and in conjunction with petitioner's authority to perform through operations between Chicago, Illinois and points within 50 miles thereof, on the one hand, and, on the other, points in Connecticut, Delaware, Illinois, Indiana, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island,

Virginia and West Virginia; and to modify and enlarge certain irregular route authority, of O.N.C. Freight Systems which Boss-Linco is presently operating and seeking to acquire by deleting the reference therein "706-708 West Harrison Street, * * *", thereby allowing carriage between any two points within 50 miles of the city limits of Chicago, Illinois, including Chicago. This matter is directly related to MC-F-14130.

MC 103798 (Sub-30F), January 26, 1979. Applicant: MARTEN TRANSPORT, INC., Route 3, Mondovi, Wisconsin 54755. Representative: Robert S. Lee, 1000 First National Bank Bldg., Minneapolis, MN 55402. Authority sought as a common carrier by motor vehicle over irregular routes transporting, *foodstuffs* (except commodities in bulk) from points in WI and the Upper Peninsula of MI to points in ND, SD and points in Osceola, O'Brien, Cherokee, Woodbury, Sioux, Lyon, Monona, and Plymouth Counties, IA, and points in Burt, Cuming, Staton, Madison, Boone, Box Butte, Sioux, Dawes, Cherry, Brown, Rock, Keya Paha, Holt, Knox, Cedar, Dixon, Antelope, Pierce, Wayne, and Thurston Counties, NE. Restriction: Restricted to the transportation of shipments originating in WI or the Upper Peninsula of MI. (Hearing site: St. Paul, MN.)

Note.—This application is directly related to a finance proceeding, MC-F-13858F, published in the May 2, 1979, issue of the *Federal Register*. The purpose of this application is to eliminate the gateway of MN created by the purchase of Ajax Transfer Company.

MC 110424, filed May 22, 1979. Applicant: DAVID BONAGUIDE, d.b.a. MERIDEN TRANSFER AND STORAGE, 81 Colt Avenue, Torrington, CT 06790. Applicant's representative: Sidney L. Goldstein, 109 Church Street, New Haven, CT 06510. *Household goods* as a common carrier over irregular routes, between points in CT on the one hand, and points in CT, NH, MA, RI, NY, PA and NJ, on the other, where distance is 300 miles or less. The purpose of this filing is to eliminate the gateway of Meriden, CT. This application is directly related to transfer application under Section 212(b) filed simultaneously with this application in Docket MC-F-78156, published in the August 21, 1979, issue of the *Federal Register*. (Hearing site: Hartford or New Haven, CT.)

Motor Carrier Alternate Route Deviations

Notice

The following letter-notices to operate over deviation routes for operating convenience only have been filed with the Commission under the Deviation Rules—Motor Carrier of Property (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Commission in the manner and form provided in such rules at any time, but will not operate to stay commencement of the proposed operations unless filed on or before November 9, 1979.

Each applicant states that there will be no significant effect on either the quality of the human environment or energy policy and conservation.

Motor Carriers of Property

MC 56640 (Deviation No. 4), (correction), DELTA LINES, INC., 333 Hegenberger Rd., Oakland, CA 94621, filed August 14, 1979. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Las Vegas, NV over Interstate Hwy 15 to junction Interstate Hwy 10 at San Bernardino, CA, then over Interstate Hwy 10 to the Los Angeles Basin Territory, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Las Vegas, NV over US Hwy 91 to junction NV Hwy 16, then over NV Hwy 16 to Pahrump, NV, then over NV Hwy 52 to the NV-CA State line, then over CA Hwy 178 (formerly CA Hwy 52) to Shoshone, CA, then over CA Hwy 127 to Death Valley Junction, CA, then over CA Hwy 190 to Emigrant Junction, CA, then over unnumbered hwy to junction CA Hwy 212 near Trona, CA, then over CA Hwy 212 to junction CA Hwy 14 (formerly US Hwy 6), then over CA Hwy 14 to Freeman, CA, then over US Hwy 178 to Bakersfield, CA, then over US Hwy 99 to the Los Angeles Basin Territory.

Note.—The purpose of this republication is to complete the service route between Las Vegas and the Los Angeles Basin Territory. Also, the note at the end of the prior caption has been deleted.

Motor Carrier Intrastate Application(s)

The following application(s) for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate

or foreign commerce within the limits of the intrastate authority sought, pursuant to Section 10931 (formerly Section 206(a)(6)) of the Interstate Commerce Act. These applications are governed by Special Rule 245 of the Commission's *General Rules of Practice* (49 CFR 1100.245), which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall *not* be addressed to or filed with the Interstate Commerce Commission.

California Docket No. 59136, filed September 12, 1979. Applicant: D & R TRANSFER CO., INC., 423 East Miner Avenue, Stockton, CA 95202.

Representative: Armand Karp, 743 San Simeon Drive, Concord, CA 94518.

Certificate of Public Convenience and Necessity sought to operate a freight service, as follows: Transportation of:

I. General Commodities as follows:

A. Between all points and places in San Francisco Territory as described in Note A hereof, and between all points within ten (10) statute miles of any point therein.

B. Between all points on or within ten (10) statute miles of the following routes:

1. Interstate Highway 80, between Oakland and Sacramento, inclusive;
2. Interstate Highways 580, 205 and 5 between Oakland and Sacramento, inclusive;
3. State Highway 4 between Interstate Highway 80 and Stockton, inclusive;
4. Interstate Highway 5 between Trach and its intersection with State Highway 140, inclusive;
5. State Highway 140 between Interstate Highway 5 and Merced, inclusive;
6. State Highway 132 between Interstate Highway 5 and Modesto, inclusive;
7. State Highway 152 between State Highway 99 and Interstate Highway 5, inclusive;
8. State Highway 99 between Fresno and North Sacramento, inclusive;
9. State Highway 49 between Jackson and Sonora, inclusive;
10. State Highway 88 between Jackson and Stockton, inclusive;
11. State Highway 108 between Sonora and Pinecrest, inclusive;
12. State Highway 120 between Sonora and Manteca, inclusive;

C. Between all points and places described in Paragraph A on the one hand, and all points and places described in Paragraph B, 1 through 12, inclusive, on the other hand.

Except that pursuant to the authority herein granted carrier shall not transport any shipments of:

1. Used household goods, personal effects and office, store and institution furniture, fixtures and equipment not packed in salesmen's hand sample cases, suitcases, overnight or boston bags, briefcases, hat boxes, valises, traveling bags, trucks, lift vans, barrels, boxes, cartons, crates, cases, baskets, pails, kits, tubs, drums, bags (jute, cotton, burlap or gunny) or bundles (completely wrapped in jute, cotton, burlap, gunny, fibreboard, or straw matting).

2. Automobiles, trucks and buses, viz: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis, freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis.

3. Lifestock, viz.: barrows, boars, bulls, butcher hogs, calves, cattle, cows, dairy cattle, ewes, feeder pigs, gilts, goats, heifers, hogs, kids, lambs, oxen, pigs, rams (bucks), sheep, sheep camp outfits, sows, steers, stags, swine or wethers.

4. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers or a combination of such highway vehicles.

5. Commodities when transported in bulk in dump-type trucks or trailers or in hopper-type trucks or trailers.

6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit.

7. Portland or similar cements, in bulk or packages, when loaded substantially to capacity of motor vehicles.

8. Logs.

In performing the service herein authorized, carrier may make use of any and all streets, roads, highways and bridges necessary or convenient for the performance of said service.

San Francisco Territory

San Francisco Territory includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Line meets the Pacific Ocean; thence easterly along said County Line to a point one mile west of State Highway 82; southerly along an imaginary line one mile west of and paralleling State Highway 82 to its intersection with Southern Pacific Company right-of-way at Arastradero Road; southeasterly along the Southern Pacific Company right-of-way to Pollard Road, including industries served by the

Southern Pacific Company spur line extending approximately two miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to Division Street; easterly along Division Street to the Southern Pacific Company right-of-way; southerly along the Southern Pacific Company right-of-way to the Campbell-Los Gatos City Limits; easterly along said limits and the prolongation thereof to South Bascom Avenue (formerly San Jose-Los Gatos Road); northeasterly along South Bascom Avenue to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to State Highway 82; northwesterly along State Highway 82 to Tully Road; northeasterly along Tully Road and the prolongation thereof to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Blvd.) via Mission San Jose and Niles to Hayware; northerly along Foothill Blvd. and MacArthur Blvd. to Seminary Avenue; easterly along Seminary Avenue to Mountain Blvd; northerly along Mountain Blvd. to Warren Blvd. (State Highway 13); northerly along Warren Blvd. to Boardway Terrace; westerly along Boardway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland Boundary Line; northerly along said boundary line to the campus boundary of the University of California; westerly, northerly and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning. Intrastate, interstate and foreign commerce authority sought. Hearing: Date, time and place not yet fixed. Requests for procedural information should be addressed to California Public Utilities Commission, State of California, State

Bldg., Civic Center, San Francisco, CA 94102, and should not be directed to the Interstate Commerce Commission.

Transportation of Used Household Goods in Connection With a Pack-and-Crate Operation on Behalf of the Department of Defense

Special Certificate Letter Notice(s)

The following letter notices request participation in a Special Certificate of Public Convenience and Necessity for the transportation of used household goods, for the account of the United States Government, incident to the performance of a pack and crate service on behalf of the Department of Defense under the Direct Procurement Method or the Through Government Bill of Lading Method under the Commission's regulations (49 CFR 1056.40) promulgated in "Pack-and-Crate" operations in Ex Parte No. MC-115, 131 M.C.C. 20 (1978).

An original and one copy of verified statement in opposition (limited to argument and evidence concerning applicant's fitness) may be filed with the Interstate Commerce Commission on or before October 31, 1979. A copy must also be served upon applicant or its representative. Opposition to the applicant's participation will not operate to stay commencement of the proposed operation.

If applicant is not otherwise informed by the Commission, operations may commence *within 30 days* of the date of its notice in the **Federal Register**, subject to its tariff publication effective date.

HG-24-79 (Special Certificate—Used Household Goods), filed September 20, 1979. Applicant: NILSON VAN & STORAGE, 6913 N. Main St., P.O. Box 3756, Columbia, SC 29230. Representative: Howard A. Nilson, President (address same as applicant). Authority sought: Between points in Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Flagler, Gilchrist, Levy, Marion, Nassau, Putnam, St Johns, and Union counties, FL, and Camden and Charlton counties, GA, and the city of Brunswick, GA, including all surface, air and water terminals therein, serving Issuing Office Naval Supply Center, Charleston, SC, U.S. Naval Air Station, Mayport, FL, and the 7th U.S. Coast Guard District, Miami, FL.

HG-25-79 (Special Certificate—Used Household Goods), filed September 24, 1979. Applicant: ACE VAN & STORAGE CO., INC., 238 North Quince, Escondido, CA 92025. Representative: Leonard J. Pellman, 6750 Federal Blvd., Lemon Grove, CA 92045. Authority sought: Between points in Los Angeles and Orange counties, CA, serving the Naval

Supply Center, San Diego-Long Beach
Annex and Marine Corps Air Station, El
Toro, CA.

HG-26-79 (Special Certificate—Used
Household Goods), filed October 2, 1979.
Applicant: ROLLERS VAN AND
STORAGE, 860 E 16th St., Tucson, AZ
85719. Representative: John M. Roller
(address same as applicant). Authority
Sought: Between points in Maricopa,
Graham, Santa Cruz, Pima, Yuma, Pinal,
and Cochise Counties, AZ, serving
Davis Monthan Air Force Base, Tuscon,
AZ, and Fort Huachuca, AZ.

By the Commission.
Agatha L. Mergenovich,
Secretary.

[FR Doc. 79-31337 Filed 10-10-79; 8:45]

BILLING CODE 7035-01-M

Sunshine Act Meetings

Federal Register

Vol. 44, No. 198

Thursday, October 11, 1979

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	Item
Civil Aeronautics Board.....	1
Commodity Futures Trading Commission.....	2
Consumer Product Safety Commission.....	3
Federal Deposit Insurance Corporation.....	4-7
Federal Election Commission.....	8, 9
Federal Maritime Commission.....	10
Federal Reserve System.....	11
National Transportation Safety Board..	12
Nuclear Regulatory Commission.....	13, 14

1

[M-251, Amdt. 4; Oct. 5, 1979]

CIVIL AERONAUTICS BOARD.

Notice of deletion of items from the October 9, 1979, meeting agenda.

TIME AND DATE: 9:30 a.m., October 9, 1979.

PLACE: Room 1027—Open, Room 1011—Closed, 1825 Connecticut Avenue NW., Washington, D.C. 20428.

SUBJECT:

3. Docket 30699, Oakland Service Case (Economic Phase), Opinion and Order (OGC)
8. Dockets 35274 and 35268, World Airways, Inc. Enforcement Proceeding (OGC)

STATUS: 1-17—Open, 18—Closed.

PERSON TO CONTACT: Phyllis T. Kaylor, The Secretary, (202) 673-5068.

SUPPLEMENTARY INFORMATION: Item 3 is being deleted because the staff will be unable to complete their coordination of this item in time to give the Board an adequate opportunity to review this case. Item 8 has been scheduled for the Board's October 9 meeting, in anticipation of the possibility that no petition for review of the ALJ's decision would be filed by October 3 deadline, and the initial decision would automatically become final on October 12. In the event, World Airways did file a petition for review on October 3, thereby tolling the effectiveness of the Judge's decision, so that the staff's recommended action in this item has been rendered academic, and need no longer be considered by the Board. Accordingly, the following Members have voted that Items 3 and 8 be deleted

from the October 9 agenda and that no earlier announcement of these deletions was possible:

Chairman, Marvin S. Cohen
Member, Richard J. O'Melia
Member, Elizabeth E. Bailey
Member, Gloria Schaffer

[S-1988-79 Filed 10-9-79 3:46 pm]

BILLING CODE 6320-01-M

2

COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 11 a.m., October 19, 1979.

PLACE: 2033 K Street NW., Washington, D.C., 8th floor conference room.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

Surveillance Briefing.

CONTACT PERSON FOR MORE

INFORMATION: Jane Stuckey, 254-6314.

[S-1975-79 Filed 10-9-79; 9:54 am]

BILLING CODE 6351-01-M

3

CONSUMER PRODUCT SAFETY COMMISSION.

Agenda

TIME AND DATE: Thursday, October 11, 1979, 10 a.m.

LOCATION: Room 802 Westwood Towers, 5401 Westbard Avenue, Bethesda, Maryland.

STATUS: Open to the Public.

MATTER TO BE DISCUSSED: Cellulose Insulation Petition, CP 79-11.

The Commission will consider a petition from Diversified Insulation which asks the Commission to amend or extend the effective date of the corrosiveness provisions of the Cellulose Insulation Standard.

CONTACT PERSON FOR ADDITIONAL

INFORMATION: Sheldon D. Butts, Assistant Secretary, Suite 300, 1111-18th St., NW., Washington, D.C. 20207, telephone (202) 634-7700.

[S-1976-79 FW 10-9-79; 1:18pm]

BILLING CODE 6335-01-M

4

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Change in Subject Matter of Agency Meeting.

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 11:30 a.m. on Friday, October 5, 1979, the Corporation's Board of Directors determined, on motion of Chairman Irvine H. Sprague, seconded by Mr. Lewis G. Odom, Jr., acting in the place and stead of Director John G. Heimann (Comptroller of the Currency), concurred in by Director William M. Isaac (Appointive), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of a proposed policy statement of the Financial Institutions Examination Council regarding nondiscrimination by Federal financial institutions.

The Board further determined, by the same majority vote, that no earlier notice of this change in the subject matter of the meeting was practicable.

Dated: October 5, 1979.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[S-1977-79 Filed 10-9-79; 1:18 pm]

BILLING CODE 6714-01-M

5

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Agency Meeting.

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at 11:45 a.m. on Friday, October 5, 1979, the Board of Directors of the Federal Deposit Insurance Corporation met in closed session to consider the following matters:

Application of Surety National Bank, Los Angeles (P.O. Encino), California, for consent to merge, upon its conversion to a State charter, with California Overseas Capital Co., Inc., a noninsured corporation in organization, and subsequently to merge under the new State charter with California Overseas Bank, Los Angeles, California. Consent was also sought to establish the three offices of California Overseas Bank as branches of the resultant bank which would bear the title "California Overseas Bank," and for consent to redesignate the main office location of the resultant bank to the present site of the main office of California Overseas Bank.

Recommendation with respect to the initiation of cease-and-desist proceedings

against an insured bank. The name and location of the bank are authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(6), (c)(8), and (c)(9)(A)(ii)).

Application of Global Union Bank, a proposed new bank, to be located at Wall Street Plaza, New York (Manhattan), New York, for Federal deposit insurance.

The meeting was held in the Board Room on the sixth floor of the FDIC Building located at 550-17th Street N.W., Washington, D.C.

On motion of Chairman Irvine H. Sprague, seconded by Director William M. Isaac (Appointive), concurred in by Mr. Lewis G. Odom, Jr., acting in the place and stead of Director John G. Heimann (Comptroller of the Currency), the Board of Directors determined that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(6), (c)(8), and (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act."

Dated: October 5, 1979.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,
Executive Secretary.

[S-1979-79 Filed 10-9-79; 1:18 pm]

BILLING CODE 6714-01-M

6

FEDERAL DEPOSIT INSURANCE CORPORATION.

Notice of Agency Meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 2:00 p.m. on Monday, October 15, 1979, to consider the following matters:

Disposition of minutes of previous meetings.

Requests by the Comptroller of the Currency for reports on the competitive factors involved in proposed mergers:

The First National Exchange Bank of Virginia, Roanoke County (P.O. Roanoke), Virginia, under its charter and title, with Eagle Rock Bank, Inc., Eagle Rock, Virginia.

First & Merchants National Bank, Richmond, Virginia, under its charter and title, with The Services National Bank, Arlington County, Virginia.

Memorandum and Resolution re: Amendments to Section 329.4(f) of FDIC's regulations respecting disclosure of withdrawal penalties.

Memorandum and Resolution with regard to the power and authority of senior staff members of the Franklin National Bank, New York, New York, liquidation staff.

Memorandum proposing the payment of a second dividend in connection with the receivership of Watkins Banking Company, Faunsdale, Alabama.

Memorandum proposing the payment of a first dividend in connection with the receivership of Village Bank, Pueblo West, Colorado.

Recommendations with respect to payment for legal services rendered and expenses incurred in connection with receivership and liquidation activities:

Bronson, Bronson & McKinnon, San Francisco, California, in connection with the liquidation of First State Bank of Northern California, San Leandro, California.

Schall, Boudreau & Gore, San Diego, California, in connection with the receivership of United States National Bank, San Diego, California. (Three Memorandums)

Trager and Trager, Fairfield, Connecticut, in connection with the liquidation of The Monroe Bank and Trust Company, Monroe, Connecticut.

Chapman and Cutler, Chicago, Illinois, in connection with the liquidation of The Drovers' National Bank of Chicago, Chicago, Illinois.

Chapman and Cutler, Chicago, Illinois, in connection with the liquidation of State Bank of Clearing, Chicago, Illinois.

Sidley & Austin, Chicago, Illinois, in connection with the liquidation of The Drovers' National Bank of Chicago, Chicago, Illinois. (Two Memorandums)

Parsons, Canzona, Blair & Warren, Red Bank, New Jersey, in connection with the liquidation of The Bank of Bloomfield, Bloomfield, New Jersey.

Vinson & Elkins, Houston, Texas, in connection with the liquidation of International City Bank and Trust Company, New Orleans, Louisiana.

Casey, Lane & Mittendorf, New York, New York, in connection with the liquidation of Franklin National Bank, New York, New York.

Kaye, Scholer, Fierman, Hays & Handler New York, New York, in connection with the liquidation of Franklin National Bank, New York, New York.

Squire, Sanders & Dempsey, Cleveland, Ohio, in connection with the liquidation of Northern Ohio Bank, Cleveland, Ohio.

Bass, Berry & Sims, Nashville, Tennessee, in connection with the liquidation of The Hamilton National Bank of Chattanooga, Chattanooga, Tennessee.

Sutherland, Asbill & Brennan, Atlanta, Georgia, in connection with the liquidation of The Hamilton National Bank of Chattanooga, Chattanooga, Tennessee.

Meredith, Donnell & Edmonds, Corpus Christi, Texas, in connection with the liquidation of the liquidation of Northeast Bank of Houston, Houston, Texas.

Meredith, Donnell & Edmonds, Corpus Christi, Texas, in connection with the liquidation of First State Bank & Trust Co., Rio Grande City, Texas.

Reports of committees and officers:

Minutes of the actions approved by the Committee on Liquidations, Loans and Purchases of Assets pursuant to authority delegated by the Board of Directors.

Report of the Executive Secretary regarding his transmittal of "no significant effect" competitive factor reports.

Report of the Controller regarding the Corporation's securities portfolio inventory as of August 31, 1979.

Reports of the Director of the Division of Bank Supervision with respect to applications or requests approved by him and the various Regional Directors pursuant to authority delegated by the Board of Directors.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550-17th Street, N.W., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle L. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: October 5, 1979.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,
Executive Secretary.

[S-1979-79 Filed 10-9-79; 1:18 pm]

BILLING CODE 6714-01-M

7

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting.

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 2:30 p.m. on Monday, October 15, 1979, the Federal Deposit Insurance Corporation's Board of Directors will meet in closed session, by vote of the Board of Directors pursuant to sections 552 (c)(2), (c)(6), (c)(8), (c)(9)(A)(ii), (c)(9)(B), and (c)(10) of title 5, United States Code, to consider the following matters:

Applications for Federal deposit insurance:

Madera Valley Bank, a proposed new bank, to be located at 324 Yosemite Avenue, Madera, California, for Federal deposit insurance.

Pioneer Bank, a proposed new bank, to be located at 730 Main Street, Billings, Montana, for Federal deposit insurance.

United Orient Bank, a proposed new bank, to be located at 10 Chatham Square, New York, New York, for Federal deposit insurance.

The Colony Bank, a proposed new bank, to be located at 5200 Paige Road, The Colony, Texas, for Federal deposit insurance.

Liberty City State Bank, a proposed new bank, to be located at the northeast corner of the intersection of F.M. 1252 and F.M. 3054, Liberty City, Texas, for Federal deposit insurance.

Application for consent to establish a branch:

Hudson City Savings Bank, Jersey City, New Jersey, for consent to establish a branch at the Randolph Shopping Center, Route 10, Center Grove and Quaker Church Roads, Randolph Township, New Jersey.

Applications for consent to merge and establish branches:

Central Bank, Oakland, California, an insured State nonmember bank, for consent to merge with First National Bank of Fresno, Fresno, California, Tahoe National Bank, South Lake Tahoe, California, and Valley Bank, National Association, Livermore, California, under the charter and title of Central Bank, and to establish the twelve offices of the three banks being acquired as branches of the resultant bank.

Southeast First Bank of Jacksonville, Jacksonville, Florida, an insured State nonmember bank, for consent to merge with Southeast Bank of Edgewood, Jacksonville, Florida, a State member bank, and Southeast First National Bank, Jacksonville Beach, Florida, under the charter of Southeast First Bank of Jacksonville and with the title Southeast Bank of Jacksonville, and to establish the sole office of each of the two banks being acquired as branches of the resultant bank.

Application for consent to relocate main office:

Bank of Winter Park, Winter Park, Colorado, for consent to move its main office from 78967 U.S. Highway 40 to 78515 U.S. Highway 40, both locations with Winter Park, Colorado.

Application for consent to move a branch:

The Howard Savings Bank, Newark, New Jersey, for consent to move its approved but unopened branch office from the A&P Shopping Center at Route 71 and Snyder Avenue to 2401 Highway 71, both addresses within Spring Lake Heights, Monmouth County, New Jersey.

Request for an extension of time in which to fulfill a capital condition in connection with the establishment of a branch:

First Enterprise Bank, Oakland, California.

Requests pursuant to section 19 of the Federal Deposit Insurance Act for consent to service of a person convicted of an offense involving dishonesty or a breach of trust a director, officer, or employee of an insured bank:

Names of persons and of banks authorized to be exempt from disclosure pursuant to the provisions of subsection (c)(6) of the "Government in the Sunshine Act" (5 U.S.C. 552(b)(6)).

Recommendations regarding the liquidation of a bank assets acquired by the Corporation in its capacity as receiver, liquidatory, or liquidating agent of those assets:

Case No. 44,060-SR—Sharpstown State Bank, Houston, Texas.

Case No. 44,063-L—First State Bank of Northern California, San Leandro, California.

Case No. 44,078-L—The Hamilton National Bank of Chattanooga, Chattanooga, Tennessee.

Memorandum re: The Hamilton Bank and Trust Company, Atlanta, Georgia.

Recommendations with respect to the initiation or termination of cease-and-desist proceedings, termination-of-insurance proceedings, or suspension or removal proceedings against certain insured banks or officers or directors thereof:

Names of persons and names and locations of banks authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(6), (c)(8), and (c)(9)(A)(ii) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(6), (c)(8), and (c)(9)(A)(ii)).

Memorandum and Resolution re: Delinquent Bank Reports.

Memorandum and Resolution re: By 1979 Staffing Table Adjustment, Office of the Controller, Accounting Branch.

Memorandum re: Summary Audity date June 15, 1979.

Personnel actions regarding appointments, promotions, administrative pay increases, reassignments, retirements, separations, removals, etc.:

Names of employees authorized to be exempt from disclosure pursuant to the provisions of subsections (c)(2) and (c)(6) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2) and (c)(6)).

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550—17th Street, N.W., Washington, D.C.

Requests for information concerning the meeting may be directed to Mr. Hoyle R. Robinson, Executive Secretary of the Corporation, at (202) 389-4425.

Dated: October 5, 1979.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,
Executive Secretary.

[S-1980-79 Filed 10-9-79; 1:18 pm]

BILLING CODE 6714-01-M

8

FEDERAL ELECTION COMMISSION.

DATE AND TIME: Tuesday, October 16, 1979 at 10 a.m.

PLACE: 1325 K Street, NW., Washington, D.C.

STATUS: This meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Compliance and personnel.

DATE AND TIME: Thursday, October 18, 1979 at 10 a.m.

PLACE: 1325 K Street NW., Washington, D.C.

STATUS: This meeting will be open to the public.

MATTERS TO BE CONSIDERED:

Setting of dates for future meetings.
Correction and approval of minutes.
Advisory opinion 1979-48 (Draft) James S. Eastham (Rexnord Inc. PAC).
Budget execution report.
Appropriations and budget.
Reports on financial activity—primary matching fund (continued).
Future referrals to OGC from RAD.
1980 Elections and related matters.
Consultant's report on audit process (continued).
Ernst & Whinney consultant's report on statistical sampling—certification process.
Pending legislation.
Classification actions.
Routine administrative matters.

PERSON TO CONTACT FOR INFORMATION:

Mr. Fred S. Eiland, Public Information Officer, telephone 202-523-4065.

Marjorie W. Emmons,
Secretary to the Commission.

[S-1983-79 Filed 10-9-79; 3:17 pm]

BILLING CODE 6715-01-M

9

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 44, FR Page 57295, October 4, 1979.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9 a.m., October 11, 1979.

PLACE: 1700 G Street NW., Sixth Floor, Washington, D.C.

STATUS: Open Meeting.

CONTACT PERSON FOR MORE INFORMATION:

Franklin O. Bolling (202-377-6677).

CHANGES IN THE MEETING: The following items were added to the agenda for the open meeting.

Policy Statement on Discrimination
Post-Approval Amendment to its Application for Permission to Convert From Mutual to Stock Form—East-West Federal Savings and Loan Association, Los Angeles, California

Post-Approval Amendment to its Application for Permission to Convert From Mutual to Stock Form—Valley First Federal Savings and Loan Association, El Centro, California

Regulation on Real Property Transactions With Affiliated Persons
Regulation on Collateralization of Bank Advances

No. 277, October 10, 1979.

[S-1984-79 Filed 10-9-79; 3:17 pm]

BILLING CODE 6720-01-M

10

FEDERAL MARITIME COMMISSION.**TIME AND DATE:** October 16, 1979, 10 a.m.**PLACE:** Hearing Room One—1100 L Street NW., Washington, D.C. 20573.**STATUS:** Open.**MATTERS TO BE CONSIDERED:**

1. Report covering bunker surcharges submitted pursuant to Domestic Circular Letter No. 1-79.
2. All-Freight Packers & Forwarders Inc.—Application for independent ocean freight forwarder license.
3. Special Docket No. 668: Application of Maersk Line Agency for the Benefit of Mitsui & Company—Review of initial decision.
4. Docket No. 76-63: Filing of Agreements by Common Carriers and Other Persons; Supporting Statements and Evidence—Consideration of comments submitted on proposed rules.

CONTACT PERSON FOR MORE**INFORMATION:** Francis C. Hurney, Secretary, (202) 523-5725.

[S-1986-79 Filed 10-9-79; 3:44 pm]

BILLING CODE 6730-01-M

11

FEDERAL RESERVE SYSTEM: (Committee on Employee Benefits of the Board of Governors).**TIME AND DATE:** 12 noon, Wednesday, October 17, 1979.**PLACE:** 20th Street and Constitution Avenue, NW., Washington, D.C. 20551.**STATUS:** Closed.**MATTERS TO BE CONSIDERED:**

1. Proposals on internal personnel procedures relating to the System's employee benefits program:
 - (a) proposed pension supplement to the Retirement Plan;
 - (b) proposed amendments to the Long-Term Disability Income Plan;
 - (c) proposed amendment to the Life and Survivor Income Insurance Plan; and
 - (d) consideration of annuity purchases under the Retirement Plan.
2. Any agenda items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE**INFORMATION:** Mr. Theodore E. Allison, Secretary of the Board; (202) 452-3257.

[S-1987-79 Filed 10-9-79; 3:44 pm]

BILLING CODE 6210-01-M

12

NATIONAL TRANSPORTATION SAFETY BOARD.**TIME AND DATE:** 9 a.m., Thursday, October 18, 1979. [NM-79-36]**PLACE:** NTSB Board Room, National Transportation Safety Board, 800 Independence Avenue, S.W., Washington, D.C. 20594.**STATUS:** Open.**MATTERS TO BE CONSIDERED:**

1. Discussion of Board policy re determination of probable cause.
2. Review of Special Studies approved by the Board.

CONTACT PERSON FOR MORE**INFORMATION:** Sharon Flemming, 202-472-6022.

October 9, 1979.

[S-1985-79 Filed 10-9-79; 3:44 pm]

BILLING CODE 4910-58-M

13

NUCLEAR REGULATORY COMMISSION.**TIME AND DATE:** October 10 (Changes) and October 11, 1979.**PLACE:** Commissioners' Conference Room, 1717 H St. N.W., Washington, D.C.**STATUS:** Open/Closed.**MATTERS TO BE CONSIDERED:****Wednesday, October 10, 9:30 a.m., (Revised)**

1. Discussion of Petitions Seeking Leave To Intervene in a Hearing on Philippine Applications (approximately 1 1/2 hours, public meeting, as announced).
2. Affirmation Session (approximately 10 minutes, public meeting): a. ALAB-531 (Trojan) (as announced).
 1. Discussion of Radioactively Contaminated Water at TMI and Related Subjects (continued from 10/4/79) (approximately 1 hour, public meeting, additional item).
 2. Discussion of Legal Aspects of Use of EPICOR-II at TMI (Approximately 1 1/2 hours, closed—Ex. 10) (additional item).
 3. Discussion of Personnel Matter (approximately 1 hour, closed—Ex. 6) (as announced).

Thursday, October 11, 9:30 a.m.

1. Discussion of Commission's Decision-Making Role in Emergency Response (approximately 1 1/2 hrs, public meeting).
2. Continuation of Discussion of Procedures for Commission Review of License Applications (continued from 10/4) (approximately 1 hour, public meeting).

ADDITIONAL INFORMATION:

During the Affirmation Session on October 4, the following changes were made:

- a. UCS Petition—Postponed,
- b. Export of Minor Quantities of Nuclear Material—Postponed,
- c. Boston Edison Petition—Postponed,
- d. Connor FOIA Appeal—As Announced,
- e. Review of ALAB-531—Postponed to 10/10,

- f. Amendment to Part 71—As Announced,
- g. Waiver Under Section 145b for Employment—Additional Item.

CONTACT PERSON FOR MORE**INFORMATION:** Walter Magee, (202) 634-1410.Walter Magee,
Office of the Secretary.

[S-1981-79 Filed 10-9-79; 1:18 pm]

BILLING CODE 7590-01-M

14

NUCLEAR REGULATORY COMMISSION.**TIME AND DATE:** October 15 and 16, 1979.**PLACE:** Commissioners' Conference Room, 1717 H St., NW, Washington, DC.**STATUS:** Open/Closed.**MATTERS TO BE CONSIDERED:****Monday, October 15, 1:30 p.m.**

1. Briefing on Siting Policy Task Force Report (approximately 1 1/2 hours, public meeting).
2. Discussion of Improving Commission Procedures and "Full Access" Provision (approximately 1 1/2 hours, public meeting).

Tuesday, October 16, 9:30 a.m.

Briefing on TMI Lessons Learned Task Force Report (approximately 2 hours, public meeting).

Tuesday, October 16, 1:30 p.m.

1. Briefing on Revision to the Operating Assumption Covering the Relative Ease of Fabricating Clandestine Fission Explosives (approximately 1 1/2 hours, closed—Ex. 1).
2. Discussion of Personnel Matter (approximately 1 1/2 hours, closed—Ex. 6).

CONTACT PERSON FOR MORE**INFORMATION:** Walter Magee, 202-634-1410.Walter Magee,
Office of the Secretary.

[S-1982-79 Filed 10-9-79; 1:18 pm]

BILLING CODE 7590-01-M

[The text on this page is extremely faint and illegible. It appears to be a multi-column document, possibly a ledger or a list, with several columns of text separated by vertical lines. The content is too light to transcribe accurately.]

Federal Register

Thursday,
October 11, 1979

Part II

Department of the Interior

Fish and Wildlife Service

**Purple-Spined Hedgehog Cactus, Wright
Fishhook Cactus, and *Sclerocactus*
glaucus; Determination as Endangered
Threatened Species**

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Determination That the Purple-Spined Hedgehog Cactus and Wright Fishhook Cactus Are Endangered Species

AGENCY: Fish and Wildlife Service, Interior

ACTION: Final rule.

SUMMARY: The Service determines that the purple-spined hedgehog cactus (*Echinocereus engelmannii* var. *purpureus*) and Wright fishhook cactus (*Sclerocactus wrightiae*) are endangered species pursuant to the Endangered Species Act of 1973, as amended. Both of these taxa are confined to very restricted areas in Utah and are threatened by habitat disruption and modification. In addition, both are eagerly sought by collectors for horticultural purposes to the extent that they have experienced declines. Listing them will provide the protection afforded by the Act as well as mechanisms to assist in management and recovery of surviving populations.

EFFECTIVE DATE: This rulemaking becomes effective on October 11, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240, 703/235-2771.

SUPPLEMENTARY INFORMATION:**Background**

The Secretary of the Smithsonian Institution, in response to Section 12 of the Endangered Species Act of 1973, submitted a report (House Document No. 94-51) to Congress on January 9, 1975, in which were listed over 3,100 U.S. vascular plants considered by the Smithsonian as endangered, threatened or extinct. On July 1, 1975, the Director of the Service published a notice in the *Federal Register* (40 FR 27823-27924) of his acceptance of the Smithsonian's report as a petition under Section 4(c)(2) of the Act, and of his intention thereby to review their status for possible listing.

On June 16, 1976, the Service published a proposed rulemaking in the *Federal Register* (41 FR 24523-24572) to determine approximately 1,700 vascular plants as endangered species pursuant to Section 4 of the Act. This list of 1,700 plant taxa was assembled on the basis of comments and data received by the Smithsonian Institution and the Service

in response to House Document No. 94-51 and the above mentioned *Federal Register* notice. Both the purple-spined hedgehog cactus and Wright fishhook cactus were included in the July 1, 1975 notice and the June 16, 1976 proposal. A public hearing on the June 16, 1976 proposal was held on July 22 1976 in El Segundo, California.

In the *Federal Register* of June 24, 1977 (42 FR 32373-32381), the Service published a final rule detailing the permit regulations to protect endangered and threatened plant species. These rules establish certain prohibitions and a permit procedure to grant exceptions to the prohibitions under certain circumstances.

Note.—The Department has determined that this listing does not meet the criteria for significance in the Department regulations implementing Executive Order 12044 (43 CFR Part 14) or require the preparation of a regulatory analysis.

Summary of Comments and Recommendations

In keeping with the intent of Section 4(b)(1)(c) of the Act, a summary of all comments and recommendations received are published in the *Federal Register* prior to adding any species to the list of Endangered and Threatened Wildlife and Plants.

Hundreds of comments on the general proposal of June 16, 1976, were received from individuals, conservation organizations, botanical groups, and business and professional organizations. Few of these comments were specific in nature in that they did not address individual plant species. Most comments addressed the program or the concept of Endangered and Threatened plants and their protection and regulation. These comments are summarized in the April 26, 1978, *Federal Register* publication which also determined 13 plant species to be Endangered or Threatened species (43 FR 17909-17916). Some of these comments had addressed the conservation of cacti. One comment was received specifically pertaining to the purple-spined hedgehog cactus and to Wright fishhook cactus. In a letter dated February 17, 1977, Dr. Lyman Benson of Pomona College commented that all species of *Sclerocactus* are rare and known from only a few localities and that the species is really endangered. He had described the fishhook cactus as a new species in 1966. He also indicated that the hedgehog cactus is really endangered. He had described this variety in 1969. The Governor of Utah was informed of the contemplated action on these two taxa, but submitted no comments or recommendations concerning the proposal to list them.

Conclusion

After a thorough review and consideration of all the information available, the Director has determined that *Echinocereus engelmannii* (Parry) Lamaire var. *purpureus* L. Benson (purple-spined hedgehog cactus) and *Sclerocactus wrightiae* L. Benson (Wright fishhook cactus; synonym: *Pediocactus wrightiae*) are in danger of becoming extinct throughout all or a significant portion of their ranges due to one or more of the factors described in Section 4(a) of the Act.

These factors, and their application to the purple-spined hedgehog cactus and Wright fishhook cactus are as follows:

(1) *The present or threatened destruction, modification, or curtailment of its habitat or range.*

Purple-spined hedgehog cactus.—This cactus is known only from the type locality, Mojave Desert, north of St. George, Washington County, Utah, at an elevation of 2,900 feet. There is only a single population of the plant and the number of individuals comprising the population, although small, is not precisely known. Urban sprawl from the city of St. George has greatly reduced the amount of habitat available in the area and this urban sprawl shows no sign of decreasing in the future. One authority reports that at present the "habitat is subject to trampling of every kind." Off-road vehicle activity is one example of this kind of threat.

Wright fishhook cactus.—This species has been found at the type locality near San Rafael Ridge, Navajoan Desert, Emery County, Utah, at an elevation of 5,000 feet. It also is known to occur in Wayne County, Utah, in the vicinity of the Fremont River. In these regions, there are five populations which are scattered, but nowhere is the plant abundant. The land on which populations are known to occur are under the jurisdiction of the Bureau of Land Management, or are State-owned, and are subject to exploration for mineral resources. Such exploration often involves the use of off-road vehicles which can destroy the individual plants themselves and are detrimental to the necessary habitat for the species. Also, one of the proposed sites for the Intermountain Power Project generating station involves one of the localities of this species.

(2) *Overutilization for commercial, sporting, scientific, or educational purposes.*

Purple-spined hedgehog cactus.—Many taxa in *Echinocereus* are popular horticultural plants and widely sought by professional and amateur cactus growers; such cactus fanciers will often

go to extreme lengths to obtain specimens for sale or for their personal collections. The purple-spined hedgehog cactus, being very rare, and highly endemic, has been, and will continue to be, a particular prize among collectors and therefore is very threatened by unregulated commercial trade in specimens of wild origin.

Wright fishhook cactus.—One of the major factors in the decline of this species at present is field collection by amateur and professional cactus fanciers for commercial and hobby purposes. These fanciers could quickly reduce known populations if protective measures are not instituted.

(3) *Disease and predation* (including grazing). Not applicable to either species.

(4) *The inadequacy of existing regulatory mechanisms.* There are no laws in the State of Utah which afford protection to these species. All native cacti are on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora. However, this Convention only regulates export of the species, and therefore, does not help regarding internal trade in the cacti, or habitat destruction. Bureau of Land Management regulations (43 CFR 6010.2) offer some protection to vegetative resources, but do not address Wright fishhook cactus directly, and they are difficult to enforce.

(5) *Other natural or man-made factors affecting its continued existence.* Both of these cacti are extremely limited in range. The purple-spined hedgehog cactus is known from only a single population at the type locality; Wright fishhook cactus occurs at two localities and only five populations are known. Thus, both are extremely vulnerable to any sort of disturbance and could be completely extirpated by even the most trivial mishap.

Effect of the Rulemaking

Section 7(a) of the Act as amended in 1978 provides:

The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to section 4 of this Act. Each Federal agency shall, in consultation with and with the assistance of the Secretary, insure that any action authorized, funded, or carried out by such agency (hereinafter in this section referred to as an "agency action") does not jeopardize the continued existence of any endangered species or

threatened species or result in the destruction or adverse modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical, unless such agency has been granted an exemption for such action by the Committee pursuant to subsection (h) of this section.

Provisions for Interagency Cooperation were published on January 4, 1978, in the Federal Register (43 FR 870-876) and codified at 50 CFR Part 402. These regulations are intended to assist Federal agencies in complying with Section 7 of the Act. This rulemaking requires Federal agencies to satisfy these statutory and regulatory obligations with respect to this species. New rules implementing the 1978 Amendments to Section 7 of the Act are being prepared now by the Service.

Endangered and Threatened species regulations in Title 50 of the Code of Federal Regulations set forth a series of general prohibitions and exceptions which apply to all such species. The principal regulations which pertain to Endangered plant species are found at §§ 17.61-17.63 (42 FR 32378-32381) and are summarized below.

All provisions of Section 9(a)(2) of the Act, as implemented by § 17.61, would apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export, or to deliver, receive, carry, transport, or ship in interstate or foreign commerce in the course of a commercial activity, or to sell or offer for sale in interstate or foreign commerce, these plants. Certain exceptions would apply to agents of the Service and State conservation agencies.

Section 10 of the Act and regulations published in the Federal Register of June 24, 1977 (42 FR 32373-32381, 50 CFR Part 17) also provide for the issuance of permits under certain circumstances to carry out otherwise prohibited activities involving Endangered plants, such as trade in specimens of cultivated origin.

Effect Internationally

In addition to the protection provided by the Act, all native cacti are on Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, which requires a permit for export of the species. The Service will review these two taxa to determine whether they should be considered under the Convention on Native Protection and Wildlife Preservation in the Western Hemisphere or other appropriate international agreements.

National Environmental Policy Act

An Environmental Assessment has been prepared and is on file in the Service's Washington Office of Endangered Species. The assessment is the basis for a decision that this determination is not a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969.

Critical Habitat

The Endangered Species Act Amendments of 1978 specify that the following be added at the end of subsection 4(a)(1) of the Endangered Species Act of 1973:

At the time any such regulation [to determine a species to be an Endangered or Threatened species] is proposed, the Secretary shall also by regulation, to the maximum extent prudent, specify any habitat of such species which is then considered to be critical habitat.

The purple-spined hedgehog cactus and Wright fishhook cactus both are severely threatened by taking, an activity not directly prohibited by the Endangered Species Act of 1973. Publication of critical habitat maps would make these species more vulnerable and therefore it would not be prudent to determine critical habitat for either of them. The enforcement burden for the Bureau of Land Management would increase if locales of Wright fishhook cactus were more generally publicized.

Echinocereus engelmannii var. *purpureus* and *Sclerocactus wrightiae* were proposed for listing as endangered species on June 16, 1976 (41 FR 24536). Since it has been determined to be imprudent to designate critical habitat for these taxa at this time and all other listing requirements of the Act have been satisfied, the Service now proceeds with this final rulemaking to determine these species to be endangered under the authority contained in the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543; 87 Stat. 884).

The primary authors of this rule are John L. Paradiso and Bruce MacBryde, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240 (703/235-1975). The status reports used as major sources in support of this listing were prepared by Dr. Stanley L. Welsh, Brigham Young University, Provo, Utah.

Regulation Promulgation

Accordingly, § 17.12 of Part 17 of Chapter I of Title 50 of the U.S. Code of

Federal Regulations is amended as follows:

1. Section 17.12 is amended by adding, in alphabetical order by family, genus, and species, the following plants:

§ 17.12 Endangered and threatened plants.

Species		Range		Status	When listed	Special rules
Scientific name	Common name	Known distribution	Portion of range where threatened or endangered			
Cactaceae, Cactus family:						
<i>Echinocereus engelmannii</i> var. <i>purpureus</i>	Purple-spined hedgehog cactus	U.S.A. (UT)	Entire	E		NA
<i>Sclerocactus wrightiae</i>	Wright fishhook cactus	U.S.A. (UT)	Entire	E		NA

Dated: October 3, 1979.

Robert S. Cook,

Deputy Director, Fish and Wildlife Service.

[FR Doc. 79-21315 Filed 10-10-79; 8:45 am]

BILLING CODE 4310-55-M.

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Determination That *Sclerocactus glaucus* is a Threatened Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Final rule.

SUMMARY: The service determines *Sclerocactus glaucus* (Uinta Basin hookless cactus) to be a Threatened species. This plant occurs in Utah and Colorado. *Sclerocactus glaucus* is being commercially exploited by nurserymen and private collectors. Approximately 15,000 individuals are found on eight sites. A determination that *Sclerocactus glaucus* is a Threatened species implements the protection provided by the Endangered Species Act of 1973 as amended.

EFFECTIVE DATE: This rulemaking becomes effective on November 13, 1979.

FOR FURTHER INFORMATION CONTACT:

Mr. Harold J. O'Connor, Acting Associate Director—Federal Assistance, Fish and Wildlife Service, U.S. Department of the Interior, Washington, D.C. 20240, 202/343-4646.

SUPPLEMENTARY INFORMATION:

Background

The Secretary of the Smithsonian Institution, in response to Section 12 of the Endangered Species Act, presented his report on plant species to Congress on January 9, 1975. This report, designated as House Document No. 94-

51, contained lists of over 3,100 U.S. vascular plant taxa considered to be endangered, threatened, or extinct. On hearing on the June 16, 1976 proposal was held on July 22, 1976, in El Segundo, California. In the June 24, 1977, Federal Register, the Service published a final rulemaking (42 FR 32373-32381, codified at 50 CFR) detailing the permit regulations to protect Endangered and Threatened plant species. These rules establish certain prohibitions and a permit procedure to grant exceptions to the prohibitions under certain circumstances. The Department has determined that this is not a significant rule and does not require the preparation of a regulatory analysis under Executive Order 12044 and CFR 14.

Summary of Comments and Recommendations

Section 4(b)(1)(C) of the Act requires that a summary of all comments and recommendations received be published in the Federal Register prior to adding any species to the List of Endangered and Threatened Wildlife and Plants.

Hundreds of comments on the general proposal of June 16, 1976, were received from individuals, conservation organizations, botanical groups, and business and professional organizations. Few of these comments were specific in nature in that they did not address individual plant species. Most comments addressed the program or the concept of Endangered and Threatened plants and their protection and regulation. These comments are summarized in the April 26, 1978, Federal Register publication which also determined 13 plant species to be Endangered or Threatened species (43 FR 17909-17916). The Governors of Utah and Colorado were both notified of the proposed action. The Governors themselves submitted no comments on

the proposed action, nor did the conservation agencies of either State. Two comments were received concerning *Sclerocactus glaucus*. In a letter dated February 17, 1977, Dr. Lyman Benson of Pomona College commented that all species of *Sclerocactus* are rare and known from only a few localities, and that the species is really endangered.

The other comment was from Gary Lyons, chairman of the Cactus and Succulent Society of America Conservation Committee, who wrote concerning distribution of the cactus and possible threats to its habitat.

After a thorough review and consideration of all the information available, the Director has determined that *Sclerocactus glaucus* (K. Schum) L. Benson (Uinta Basin hookless cactus; synonyms: *Echinocactus glaucus*, *E. subglaucus*, *E. whipplei* var. *glaucus*, *Sclerocactus franklinii*, *Pediocactus*. July 1, 1975, the Director published a notice in the Federal Register (40 FR 27823-27924) of his acceptance of the report of the Smithsonian Institution as a petition under Section 4(c)(2) of the Act, and of his intention thereby to review the status of the plant taxa named within as well as any habitat which might be determined to be critical.

On June 16, 1976, the Service published a proposed rulemaking in the Federal Register (41 FR 24523-24572) to determine approximately 1,700 vascular plant species to be Endangered species pursuant to Section 4 of the Act. This list of 1,700 plant taxa was assembled on the basis of comments and data received by the Smithsonian Institution and the Service in response to House Document No. 94-51 and the above mentioned Federal Register publication.

Sclerocactus glaucus was included in both the July 1, 1975, notice of review and the June 16, 1976, proposal. A public

glaucus) is in danger of becoming extinct within the foreseeable future throughout all or a significant portion of its range due to one or more of the factors described in Section 4(a) of the Act.

These factors and their application to *Sclerocactus glaucus* are as follows:

(1) *Present or threatened destruction, modification, or curtailment of its habitat or range.* *Sclerocactus glaucus* is known from 8 sites in a five-county area of eastern Utah and western Colorado. It is found at an elevation range of approximately 1400 to 2100 meters in alluvial deposits of the Colorado Plateau. Individuals within populations are widely scattered in open rocky areas.

Ninety percent of the total population occurs on lands under the jurisdiction of the Bureau of Land Management. The remaining 10 percent is found on State of Utah land and private land. The general region where the species occurs is potentially subject to future development of oil shale deposits or gold mining. Off-road vehicles related to these possible activities could be another future threat. These potential activities are currently too ill-defined to anticipate the possible extent of threats to the cactus.

(2) *Overutilization for commercial, sporting, scientific or educational purposes.* *Sclerocactus glaucus* is prized for its beautiful purplish-red flowers and is sought by professional and amateur cactus growers. This cactus, being very rare and highly endemic, has been, and will continue to be, a particular prize among collectors and therefore is very threatened by unregulated commercial trade from specimens of wild origin. Severe overcollection has already occurred. In addition, collecting might increase because of the Dominguez Project, a dam and pumpback reservoir which has been proposed on the Gunnison River at Whitewater, Colorado. Although no known populations of *Sclerocactus glaucus* occur within the proposed reservoir basin, scattered populations do occur on the hills above the proposed basin. The major impact on these populations could be new recreational and probable collecting pressure at formerly remote sites.

(3) *Disease and predation* (including grazing). Limited grazing of its habitat appears to be beneficial for this species. Greatly increased or decreased grazing could contribute to the decline of the species.

(4) The inadequacy of existing regulatory mechanisms. There currently exist no State or Federal laws adequately protecting this species or its

habitat. The Bureau of Land Management has authority under the Federal Land Policy and Management Act of 1976 (the BLM Organic Act) to restrict taking of vegetative resources under certain circumstances. Present regulations state that removal of plants for commercial purposes may be done only where specifically authorized by law (43 CFR 6010.2). These regulations, however, are difficult to enforce, make no specific reference to Threatened or Endangered plant species, and provide no framework to allow an over-all program for management and protection of native plants. Because of these problems and because the Bureau of Land Management has only one law enforcement officer each for Utah and Colorado, additional protection is needed for Endangered and Threatened plant species occurring on Bureau of Land Management lands. Further, All native cacti are on Appendix II of the Convention or International Trade in Endangered Species of Wild Fauna and Flora. However, this Convention only regulates export of the species, and therefore does not regulate internal trade in the cactus, or habitat destruction. No other Federal protective laws currently apply to it.

(5) *Other natural or manmade factors affecting its continued existence.* Not applicable to this species.

Effect of the Rulemaking

Section 7(a) of the Act as amended in 1978 provides:

"The Secretary shall review other programs administered by him and utilize such programs in furtherance of the purposes of this Act. All other Federal agencies shall, in consultation with and with the assistance of the Secretary, utilize their authorities in furtherance of the purposes of this Act by carrying out programs for the conservation of endangered species and threatened species listed pursuant to Section 4 of this Act. Each Federal agency shall, in consultation with and with the assistance of the Secretary, insure that any action authorized, funded, or carried out by such agency (hereinafter in this section referred to as an "agency action") does not jeopardize the continued existence of any endangered species or threatened species or result in the destruction or adverse modification of habitat of such species which is determined by the Secretary, after consultation as appropriate with the affected States, to be critical, unless such agency has been granted an exemption for such action by the Committee pursuant to subsection (h) of Section 7 of the Endangered Species Act Amendments of 1978."

Provisions for Interagency Cooperation were published on January 4, 1978, in the Federal Register (43 FR 870-876) and codified at 50 CFR Part 402. These regulations are intended to assist Federal agencies in complying

with Section 7(a) of the Act. This rulemaking requires Federal agencies to satisfy these statutory and regulatory obligations with respect to this species.

Endangered and Threatened species regulations in Title 50 of the Code of Federal Regulations set forth a series of general prohibitions and exceptions which apply to all such species. The regulations which pertain to Threatened plant species, are found in §§ 17.71 and 17.72 (42 FR 32380-32381) and are summarized below.

All provisions of Section 9(a)(2) of the Act, as implemented by § 17.71, would apply. These prohibitions, in part, make it illegal for any person subject to the jurisdiction of the United States to import or export, or to deliver, receive, carry, transport or ship in interstate or foreign commerce in the course of a commercial activity, or to sell or offer for sale in interstate or foreign commerce, this plant. Certain exceptions would apply to agents of the Service and State conservation agencies.

Section 10 of the Act and regulations published in the Federal Register of June 24, 1977 (42 FR 32373-32381, codified in 50 CFR Part 17), provide for the issuance of permits under certain circumstances to carry out otherwise prohibited activities involving Threatened plants, such as trade in specimens of cultivated origin.

Effect Internationally

In addition to the protection provided by the Act, all native cacti are on Appendix II of the convention on International Trade in Endangered Species of Wild Fauna and Flora, which requires a permit for export of the species. The Service will review *Sclerocactus glaucus* to determine whether it should be considered under the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere or other appropriate international agreements.

National Environmental Policy Act

An Environmental Assessment has been prepared and is on file in the Service's Washington Office of Endangered Species. The assessment is the basis for a decision that this determination is not a major Federal action which would significantly affect the quality of the human environment within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969.

Endangered Species Act Amendments of 1978

The Endangered Species Act Amendments of 1978 added the

following provision to subsection 4 (a)(1) of the Endangered Species Act of 1973:

"At the time any such regulation [to determine a species to be an Endangered or Threatened species] is proposed, the Secretary shall by regulation, to the maximum extent prudent, specify any habitat of such species which is then considered to be critical habitat."

Sclerocactus glaucus is primarily threatened by an activity not prohibited by the Endangered Species Act of 1973 nor, completely, by the Bureau of Land Management. The Bureau of Land Management has authority under the Federal Land Policy and Management Act of 1976 (the BLM Organic Act) to restrict taking of vegetative resources under certain circumstances. Present regulations state that removal of plants for commercial purposes may be done only where specifically authorized by law (43 CFR 6010.2). Permitted activities include the collecting of plant parts in reasonable quantities for personal use, consumption or hobby collecting. These

regulations are difficult to enforce, make no specific reference to Threatened or Endangered plant species, and provide no framework to allow an overall program for management and protection of native plants. Because of these problems and because the Bureau of Land Management has only one law enforcement officer each for Utah and Colorado, additional protection is needed for Endangered and Threatened plant species occurring on Bureau of Land Management lands. Publication of critical habitat maps detailing locations of this species makes them even more vulnerable to illegal taking. Therefore, it would not be prudent to determine critical habitat.

Sclerocactus glaucus was proposed on June 16, 1976 (41 FR 24536), and since critical habitat is not being determined for this species, none of the other amended subsections are applicable. Accordingly, the Service is proceeding at this time with a final rulemaking to determine this species to be Threatened

pursuant to the Endangered Species Act of 1973, as amended. This rule is issued under the authority contained in the Endangered Species Act of 1973 (16 U.S.C. 1531-1543; 87 Stat. 884).

The primary author of this rule is Ms. Rosemary Carey, Office Of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240, (703/235-1975). The status report used as a major source in support of this listing was prepared by James Ratzloff, Botanist, Bureau of Land Management, Montrose District Office, Montrose, Colorado.

Regulation Promulgation

Accordingly, § 17.12 of Part 17 of Chapter I of Title 50 of the U.S. Code of Federal Regulations is amended as follows:

1. Section 17.12 is amended by adding, in alphabetical order by family, genus, species, the following plant:

§ 17.12 Endangered and threatened plants.

* * * * *

Species		Range		Status	When listed	Special rules
Scientific name	Common name	Known distribution	Portion of range where threatened or endangered			
Cactaceae—Cactus family:						
<i>Sclerocactus glaucus</i>	Uinta Basin Hookless cactus.	U.S.A. (UT and CO).....	Entire.....	T	NA.

Dated: October 3, 1979.

Robert S. Cook,

Deputy Director, Fish and Wildlife Service.

[FR Doc. 79-31316 Filed 10-10-79; 8:45 am]

BILLING CODE 4310-55-M